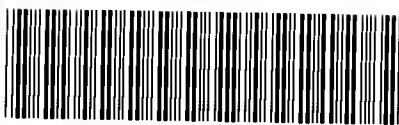


EMORY UNIVERSITY



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JOURNAL
OF
THE SENATE
OF
THE STATE OF GEORGIA,
AT AN ANNUAL SESSION
OF THE
General Assembly,
BEGUN AND HELD AT
MILLEDGEVILLE, THE SEAT OF GOVERNMENT,
IN NOV. AND DEC:
1826.

MILLEDGEVILLE:
PRINTED BY CAMAK & RAGLAND

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1826.

JOURNAL
OF
THE SENATE
OF THE
State of Georgia.

At an Annual Session of the General Assembly begun and held at the state house, in the town of Milledgeville, on Monday the sixth day of November, 1826—the following members from their several counties attended, and the Hon. Valentine Walker chosen as chairman, having taken his seat, they produced their credentials and were severally sworn agreeably to the Constitution of this State, and to support that of the United States, by the Hon. Charles J. McDonald, one of the Judges of the Superior Courts of this State, and took their seats, to wit—

From the county of Elbert, the hon. Beverly Allen.
From the county of Montgomery, the hon. James Alston.
From the county of Franklin, the hon. Thomas F. Anderson.
From the county of Liberty, the hon. Wm. W. Baker.
From the county of Warren, the hon. Edwin Baker.
From the county of Wilkinson, the hon. Samuel Beall.
From the county of Habersham, the hon. James Blair.
From the county of Crawford, the hon. John Blackstone.
From the county of Pike, the hon. John H. Broadnax.
From the county of Camden, the hon. Hugh Brown.
From the county of Decatur, the hon. James Brown.
From the county of Hancock, the hon. Eppes Brown.
From the county of Monroe, the hon. George A. Brown.
From the county of Oglethorpe, the hon. James Brockman.
From the county of Jasper, the hon. John W. Burney.
From the county of Butts, the hon. John R. Cargille.
From the county of De Kalb, the hon. Tully Choice.
From the county of Telfair, the hon. John Coffee.
From the county of Clarke, the hon. Augustin S. Clayton.
From the county of Pulaski, the hon. Nelson Clepton.
From the county of Chatham, the hon. Wm. C. Daniel.
From the county of Ware, the hon. Joseph Deal.
From the county of Bryan, the hon. R. H. Footman.
From the county of Columbia, the hon. Arthur Foster.
From the county of Lincoln, the hon. John Frazier.

From the county of Madison, the hon. Samuel Groves.
 From the county of Jefferson, the hon. W. N. Harmon.
 From the county of Wayne, the hon. Moses Harris.
 From the county of Putnam, the hon. Thomas Hoxey.
 From the county of Jones, the hon. Gustavus Hendrick.
 From the county of Laurens, the hon. Josiah Horn.
 From the county of Taliaferro, the hon. Absalom Jones.
 From the county of Newton, the hon. Harrison Jones.
 From the county of Lowndes, the hon. Wm. A. Knight.
 From the county of Burke, the hon. A. J. Lawson.
 From the county of Emanuel, the hon. John Love.
 From the county of Bibb, the hon. Timothy Matthews.
 From the county of McIntosh, the hon. Allen B. Powell.
 From the county of Rabun, the hon. Tilman Powell.
 From the county of Baker, the hon. John S. Porter.
 From the county of Effingham, the hon. Clem Powers.
 From the county of Thomas, the hon. Duncan Ray.
 From the county of Dooly, the hon. Joel L. Scarborough.
 From the county of Early, the hon. Richard C. Spann.
 From the county of Glynn, the hon. Francis M. Scarlett.
 From the county of Henry, the hon. James Sellers.
 From the county of Scriven, the hon. William Smith.
 From the county of Greene, the hon. Thomas Stocks.
 From the county of Morgan, the hon. Young Stokes.
 From the county of Fayette, the hon. James Strawn.
 From the county of Appling, the hon. Turby F. Thomas.
 From the county of Tatnall, the hon. Geo. U. Tippins.
 From the county of Richmond, the hon. Valentine Walker.
 From the county of Upson, the hon. Zachariah White.
 From the county of Jackson, the hon. David Witt.
 From the county of Houston, the hon. Wm. Wellborn.
 From the county of Baldwin, the hon. John Williams.
 From the county of Twiggs, the hon. Ezekiel Wimberly.
 From the county of Wilkes, the hon. Thomas Wooten.
 From the county of Gwinnett, the hon. Elisha Wynn.
 From the county of Hall, the hon. Richard Wynn.
 From the county of Bullock, the hon. Michael Young.

The Senate then proceeded by ballot to the choice of their President; and on counting out the votes, it appeared that the Honorable Thomas Stocks, of the county of Greene, was duly elected President of the Senate of the State of Georgia.

They then proceeded in like manner to the choice of their Secretary; and on counting out the votes, it appeared that Wm. Y. Hassell, Esq. was duly elected.

They then proceeded in like manner to the choice of their Messenger; and on counting out the votes, it appeared that Henry Darnall was duly elected.

The Senate then proceeded to the choice of their Door Keeper; and on counting out the votes, it appeared that Guy W. Smith was duly elected.

The Senate then adjourned until to-morrow morning 10 o'clock.

DAK, November 7th, 1825.

On motion of Mr. Scarlet,

Resolved, That the rules of the Senate of the last session be adopted for the government of the present session until altered.

On motion of Mr. Baker, of Warren,

Resolved, That the Secretary of Senate do inform the House of Representatives that the Senate are now organized and ready to proceed to business, having made choice of the Hon. Thomas Stocks, of Greene, as their President, and William Y. Hansell, Esq. their Secretary.

Mr. Baker, of Warren, also laid on the table the following resolution:

Resolved, That the President proceed to the appointment of the following standing joint committees on the part of Senate, to wit:

On the state of the republic—on finance—on internal improvement—on public education and free schools—on banks—on printing—on the judiciary—on enrollment—on the penitentiary, and a military committee—Also, committees on petitions, privileges, and elections, and to examine the engrossed journals of Senate to see that the same are correctly brought up

Mr. Baker, of Warren, also notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to repeal an act entitled an act to lay off the State into seven congressional districts, passed the 22d Dec. 1825.

Mr. Burney notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to incorporate Constitutional Hall Academy, in Jasper county.

Mr. Jones notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to repeal an act passed at the last session of the Legislature, entitled an act to create a Board of Public Works, and to provide for the commencement of a system of internal improvement.

Mr. Sellers laid on the table the following resolution:

Resolved, That a committee be appointed on the part of senate to join such committee as may be appointed by the house of representatives, to prepare and report a bill to provide for the adequate compensation of grand and petit jurors.

Mr. Clayton, of Clarke, notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to alter the 1st section of the 4th article of the Constitution, so as not to require the payment of taxes to entitle a citizen to a vote for members of the general assembly.

Mr. Broadnax notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to divorce and separate Elizabeth Palmer and Elisha Palmer her husband.

Mr. Clayton, of Clarke, notified the senate, that he would after to-day, move for the appointment of a committee to prepare and report a bill to define the liability of indorsers on promissory notes, and place them upon the same footing of securities.

Mr. Scarlet notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to alter and amend the road laws of the county of Glynn, so as to make the commissioners of roads elective by the people.

Mr. Stokes notified the senate, that he would after to-day, move for the appointment of a committee to prepare and report a bill requiring all sheriff's in this state, that after making a levy on personal property by virtue of any execution in their hands, the defendant shall have the liberty of giving bond with approved security in double the amount, for the delivery of said property on the day of sale, unless good cause be shewn to the contrary.

Mr. Scarlet notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to give further time to fortunate drawers in the land lotteries, of the years 1818 and 1821, to take out their grants.

Mr. Winn, of Hall, notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to repeal an act entitled an act to set apart and reserve for the use of the State, all valuable ores, mines, and minerals, which have been, or may hereafter be discovered upon lands which now are, or may hereafter be, the property of the State of Georgia; and to make penal and provide for the punishment of the removing, carrying away, or secreting the same, to the loss of the State.

Mr. Harris notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to appoint commissioners to dispose of and sell the lumber and site for the new court house, at Wiley Robson's, in the county of Wayne.

Mr. Blackstone notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to add the reserve at the Agency on this side of Flint river, to Crawford county.

A message was received from the house of representatives by Mr. Dawson their clerk, informing the senate that the house of representatives were now organized having made choice of the Hon. Irby Hudson, a member elect from the county of Putnam, their Speaker, and William C. Dawson, Esq. their clerk, and were ready to proceed to business.

And he was also directed to inform the senate that the house of representatives had appointed a committee, consisting of Messrs.

Jefford, Holt, of Richmond, West, Hull, and Saffold, to join such committee as may be appointed on the part of the senate, to wait on his excellency the Governor, and inform him that the general assembly are now organized and ready to receive any communication which he may lay before them.

The clerk having withdrawn,

The senate took up the message and concurred therein; and added their part, a committee consisting of Messrs. Clayton, of Clarke, [unclear], and Brockman.

Mr. Clayton, of Clarke, from the joint committee, appointed to wait on his excellency the Governor, and inform him that the general assembly are now organized, reported, that they had performed the duty assigned them, and received for answer from his Excellency, that he would lay before both branches of the Legislature his communication at 12 o'clock this day.

Mr. Daniel obtained leave to report instantler a bill to regulate the intercourse between the banks of this State and other institutions and [unclear].

Which was read the first time.

The following communication was received from his excellency the Governor, with accompanying documents, by his Secretary, Mr. [unclear], to wit:

EXECUTIVE DEPARTMENT, GEORGIA.

Milledgeville, 7th November, 1826.

My Fellow Citizens:

THE political year just terminated, has been distinguished by nothing so much as the decease of Thomas Jefferson and John Adams, who, after laying the foundation of American Independence, and filling the highest offices of State, through a long series of time, survived to the Fiftieth Anniversary of the Independence they had declared, and on that day, almost at the same hour, died full of years and full of honor, deplored by the whole nation, whose grief was testified by a universal mourning, accompanied by every demonstration of love, respect and veneration—Among the many tokens of the tender mercies of Divine Providence toward our country, none have been more signal than those which accompanied this memorable dispensation—so much so that our sorrows have found solace and comfort in the admiration and gratitude due to Almighty God for the special interposition which, by its circumstances, made their deaths not less glorious than their lives had been exemplary and illustrious.

It was known to the last Legislature, that for certain reasons expressed by the President of the United States, he would call the attention of Congress, at their first meeting, to the validity of the Treaty negotiated at the Indian Springs in 1825; and in his Message to the Congress at the opening of the session, after announcing that "the Treaty had been ratified under the unsuspecting impression that it had been negotiated in good faith," he promised to lay before that body the subsequent transactions in relation to it. The President failed to do so—Toward the close of the session of Congress he did submit to the Senate a new Treaty in abrogation of the old one, with

a general declaration of the falsehood and deception practised by the Commissioners, in their official communications with the Government, of the numerical inferiority of the party which signed it, and of their consequent inability to carry it into effect, but unaccompanied by a single document or voucher to support any fact or principle contained in that declaration.—The Senate, as you know, ratified the Treaty; and the one of the Indian Springs of prior date, of prior ratification, and passing vested rights to Georgia, was declared null and void. The objections to this proceeding, considered altogether novel and unprecedented, were obvious—Georgia, for whose benefit alone the Treaty was negotiated, was deprived, without her consent, of interests already vested.—The party with whom the Old Treaty had been negotiated was not recognised as a party at all in the conclusion of the New, and in the execution of the New Treaty, without their consent and even against their consent, they have not merely been deprived of every right which they could claim under the old or new, but have been to all intents and purposes denationalized, and forced either to submit unconditionally to the power of their enemies or to abandon their country. It was with a knowledge of what was in prospect, from the first annunciation of the President to Congress, that the Legislature of Georgia, at the close of its session, again reviewed and again confirmed the validity of the Treaty of the Indian Springs. This confirmation was the more imposing, because the Legislature which first acknowledged the authority of that Treaty had returned to the people, its conduct had been passed in review, and of course a favorable verdict pronounced upon it.—The act of the Legislature, founded on the provisions of the Old Treaty, having been, as it were, re-enacted by a succeeding Legislature, was to be regarded as mandatory and imperative, to be carried into effect by the Executive under his oath of office, according to its requisitions, unless forbidden by paramount considerations—there could be none paramount; but what would be found in the Constitution of the United States, and none such were found. The Constitution itself, in denouncing an act impairing the obligation of contracts, recognized the sacredness of the Treaty of the Indian Springs. The Executive of Georgia, therefore, had no alternative but to carry that Treaty into effect, in conformity with the repeatedly expressed will of the Legislature—His intentions were early communicated in the most frank and ingenuous manner to the Executive Government at Washington, and from that time to the present moment, he has never ceased to remonstrate and protest, on every occasion requiring it against any act injuriously affecting interests of Georgia derived under it—But there were other reasons for maintaining the inviolability of the Treaty of the Indian Springs—By that Treaty Georgia had acquired all her territory within the Creek limits—by the new, she was to acquire less—and the difference between them was, by the stipulations of the new, guaranteed to the Indians forever. The Governor could in no manner recognize the power of the President and Senate, by the abrogation of the old Treaty, to violate the Constitution of Georgia—The Constitution of Georgia, as well as the Articles of Agreement, entered into in conformity with it, had settled her permanent boundaries irrevocably. The new Treaty prescribed new boundaries for Georgia, and by its perpetual guarantee made them

permanent—Lands, the rightful property of Georgia, were taken from her and ceded to the Indians forever, and the jurisdiction over the river Chattahoochie, which had been secured exclusively to her by the original charter, by her Constitution, and by the Articles of Agreement and Cession, was divided by the new Treaty between Alabama and Georgia—As no power is given by the Constitution of the United States to the Government of the United States, to alter or revoke the Constitution of a State, it would have been not merely an unpardonable indifference to her rights and honor to have submitted in silence to these palpable infractions of them, but the Chief Magistrate would have believed himself guilty of a criminal desertion of the interests of the State, if his sanction or countenance had been given to such an instrument. If the difference between the provisions of the old and new Treaties, had been a nominal, not a real difference, the United States and Georgia could have proceeded in good faith, and without collision of interest, to execute either, as the one or the other was believed to be the Constitutional law; but as those provisions were variant in several particulars involving essential rights, and as one of them especially, whether so designed or not, would have effectually postponed the settlement of the country for an entire year, it could not be expected that Georgia would surrender rights, interests and principle too, because the President of the United States considered the New Treaty the Constitutional law. The Government of either State is to be considered as an independent moral agent, having a conscience of its own, the arbiter within itself of right and wrong, to be influenced or controlled only by Divine Authority; and the conscience of this Government has already passed definitively on the validity of the Treaty of the Indian Springs.—And here permit me to remark that with regard to the rights of sovereignty and jurisdiction generally, which Georgia claims under her Charter, to the territory within her limits in the occupancy of the Indians, there is such a radical difference of opinion between the authorities of Georgia and those of the United States, that the harmony and tranquility of the two Governments, so much to be cherished by all good men, can never be maintained uninterruptedly until those Indians shall have been removed. In illustration of this, it is sufficient to inform you that on a recent occasion the right of Georgia to make even a reconnaissance within that territory, with a view to eventual Internal Improvement, was denied, and that denial accompanied by a formal protest of the President of the United States against it: and, moreover, that when about the same time there were indications of an hostile feeling on the part of the Indians, which threatened interruption to our Commissioners engaged in running, with the consent and approbation of the United States, the dividing line between Alabama and this State, and precautionary measures were taken for their safety, Georgia was given to understand that she had no right to extend her protection to her own officers engaged on her own soil in carrying into effect an act of her own Legislature against such hostility. It is in vain to look into the Constitution of the United States to find what rights of sovereignty and jurisdiction acquired under the charter over the territory within her limits, Georgia has surrendered to the Federal Government—No such surrender has been made, and yet Georgia, in her late intercourse with the United States,

has been treated in this respect as if she had no rights of sovereignty or jurisdiction at all, & this too whilst the laws of the United States, as well as the Articles of Agreement and Cession distinctly recognise and proclaim them, and of course to the very same extent as they are asserted by the Treaty of Hopewell and others.

The forlorn and helpless condition to which the McIntosh, or friendly party of the Creeks, have been reduced by the continued persecutions to which they have been exposed, is submitted to you as claiming your humane and benevolent consideration. This portion of the Creek tribe, having fought the battles of the United States and vanquished the hostile part of it, who were at once their enemies and the enemies of the United States, it was hoped that they would have been regarded with some degree of favor by that Government and people, in whose defence they had expended their blood and put to hazard every thing dear to them. For a time this hope was not disappointed—General Jackson, by his Treaty of 1814 had recognised their services and their claims—Their Chieftain was distinguished by the favor of the Government, and he and his followers were regarded not only as the faithful and devoted friends of the whites, but as the conquerors of the Red Sticks, then numbering two-thirds of the whole nation, whose rights of territory, by the laws of war, passed to the victors. It was the conviction of the justice of their cause and of the rights acquired by it, which dictated the letter of the Secretary of War of the 17th day of March, 1817, recognizing in full the power of McIntosh and his followers to sell the country. When, in obedience to the expressed wishes of the United States, McIntosh with others, proceeded at the Treaty of the Indian Springs, to exercise this acknowledged power, the power was denied, and the murder of himself and Chiefs which followed, looked upon without emotion, whilst the murderers were cherished, caressed and honored by the Government of the United States—his followers left without home, without protection, without bread, and finally denationalized and put under the ban—so that at last they were considered as no part of the nation, having no claim of territory, and of course no rightful participation in the consideration for which the territory sold—and what is worse than all, the money which should have been given to them under the Treaty, not only given to their enemies, but made the instrument of seducing from their allegiance the friends of McIntosh, who had no alternative but to take their bribe or share the calamities of the party. To complete their degradation as an unworthy and ignoble race, the President, in his official message to the Senate, has deigned to stigmatize them as “an impotent and helpless minority,” “unable to execute their engagements”—“as fugitives instigated by a vindictive fury,” “making extravagant and unwarrantable demands, whilst they were eating the bread and begging the protection of the United States.” And again, as “a party making unwarrantable pretensions and extravagant demands, and having no claims on the United States, other than of impartial and rigorous justice.” Is it to be wondered that under such treatment the friendly party should be reduced to a mere remnant, *an impotent and helpless minority*, or is it not a subject of wonder, that instead of the 1000 which remain, there should be one left bearing the name or rallying under the standard of McIntosh. We cannot permit ourselves to believe

that the Congress of the United States, will not itself regard with tenderness and compassion a portion of the human family, reduced by reverses to piteous distress, deserted by the inconstancy of friendship, and abandoned to the sports of fortune.

Whether in reference to that part of the territory of Georgia, yet in the occupancy of the Cherokees, you will think proper, in conformity with the recommendation to that effect contained in a late message, to extend the laws over it as a right resulting from your general sovereignty and jurisdiction, or whether you will abide the result of future negotiations by the United States, to extinguish their claims in virtue of the compact of 1802, will be for you, as the only competent authority to decide. A state of things so unnatural and so fruitful of evil as an independent government of a semi barbarous people co-existing within the same limits, cannot long continue, and wise counsels must direct, that relations which cannot be maintained in peace, should be dissolved before any occasion can occur to break that peace. How ungenerously tantalizing to this unhappy tribe would be a policy inviting them to a local habitation and repose, when the fates had already decreed their destiny to be fixed and irreversible upon another soil. To perpetuate the remnant of a noble race, we ask of the United States to give them a resting place within boundaries of their own, fruitful, ample and salubrious, such as they command, and such as in humanity they should bestow, where the arts of civilization and the lights of christianity can reach them unmixed with the corrupting and contagious vices of the whites, and where their perpetuity and independence can be assured.—If the United States hesitate now, a few years will bring them to just reflections, but too late to save from irredeemable waste and decay the numerical strength and moral energies of a people, so far preserved by the encouragement and patronage of the United States, with the tolerance of Georgia.

Messrs. Crawford, Blount and Hamilton, were appointed Commissioners, James Camak mathematician, assisted by the Chief Civil Engineer, and Edward L. Thomas surveyor, in pursuance of a resolution of the Legislature, to run the dividing line between this State and Alabama. These gentlemen have, in the execution of their several trusts, discharged the duties confided to them to my entire satisfaction. Those assigned to the Commissioners were delicate and arduous, and whilst they respected as they ought the rights of others, they have not been unmindful of what was due to the State they represented, its honor, interest and dignity. The Chief Civil Engineer having received the appointment from the Executive, was to be considered as under his exclusive direction and control, until the meeting of the Legislature. His power over this officer was, however, from a consideration of fitness and propriety, voluntarily and cheerfully, but informally, surrendered to the Board of Public Works, with a settled purpose not to interfere with the exercise of that power, unless claims to his services of higher interest to the public, should at any time be interposed. An occasion offered, and he was ordered, without hesitation, from the less to the more important service. It is to be regretted that the Commissioners of Alabama could not feel themselves authorised to concur with those of Georgia. The corre-

pendence between the two commissions will exhibit the views of each, and it is not presuming too much to say, that those of Georgia are not the less satisfactory, because they have not received the concurrence or approbation of the Commissioners of Alabama. If the first bend above Uchee and Coweta and Cussetah towns, from which a line to Nickajack did not strike the river, would not satisfy the requisitions of the Articles of Agreement and Cession, it was not to be expected that any other bend above it, and far her removed from Uchee and the Towns, would. It was the less to be expected that the Commissioners of Georgia would consent to pass that bend, for no other reason than that Alabama would take more and Georgia less of territory by it—And when the Commissioners, without the concurrence of those of Alabama, finally adopted the point of Miller's Bend, it was the point which was about midway between that assumed as the true one by the Governor of Alabama, and the one ultimately proposed by her Commissioners to ours—As the Commissioners of Alabama would not agree to run from the first bend immediately above Uchee, and as a line running from that bend intersecting the river, would have made the boundary not a straight one as contemplated by the Articles, but a devious one, straight upon the land and meandering on the water, it is difficult to perceive how the Government of Alabama can withhold its assent from a boundary which contemplated in all its aspects, would seem, at least to us, to reconcile more differences and present fewer objections, than any. The Commissioners of Alabama appear to consider Georgia as the principal party to the measure, having deepest concern and interest in it, and the boundary having been established by the Act of Georgia, any participation in the expense has been declined, and the whole of it suffered to fall on this Government alone. The expense therefore, unavoidably considerable, is believed to have been incurred with as little of wastefulness and extravagance, as could be expected from an operation so tedious, and conducted under so many disadvantages. The report, correspondence and documents, relating to this subject, with the account of the expenditures, will be laid before you.

It is proposed, in concert with the General Government, to commence running the dividing line between this State and Florida, on the first day of December next. The correspondence in relation to it is submitted, and it will be seen that no difficulties can be expected to arise to embarrass the operation or to prevent the most desirable conclusion of it.

After a tedious correspondence with several of the most distinguished of the Engineers of the United States, from which no satisfactory result could be promised, Hamilton Fulton, Esq. a gentleman of known integrity of character, and recommended by the most eminent of the Engineers of England, was appointed to the office of Chief Civil Engineer. It is hoped that Mr. Fulton will not disappoint the just expectations of the public. The proceedings of the Board of Public Works, after their first organization, are submitted to you. A plan of Internal Improvement having been digested and prescribed by the Legislature, nothing remained for them but to adopt the most prompt and appropriate measures to carry it into effect,—

The report of the Board and of the Chief Engineer, will disclose the first practical operations under them, and will enable you to decide upon the merits of the past, and what for the future, in furtherance of the plan, the public interest shall require. To open new sources of commerce, and give facilities to those already open, are the great objects of the system. If by a communication between the waters of Tennessee and those of Georgia, the trade of the Mississippi and Ohio can be diverted to our Atlantic ports, the freight and commissions would more than suffice to replace, with the ordinary interest, the capital which might be employed in effecting that communication; and if this were true at the beginning, the progressively increasing commerce which an almost unbounded region, with rapidly augmenting population, would supply, might convert a channel of intercourse into a permanent source of revenue to the State. Whatever can be realized in this respect, will depend on the facilities given by the projected canal across the Peninsula of Florida, which, forming a line of steam boat communication between the Western waters and our Atlantic ports, cheap, continuous and comparatively safe, may have advantages over the short and more direct route, not open to this valuable instrument of conveyance. As connected with such an undertaking, the States of Alabama and Tennessee have been consulted, and their views in relation to it, so far as communicated, are submitted.

With respect to that part of public improvement, designed to facilitate the intercourses of trade within our own limits, the obvious rule will be to adapt our measures not only to the actual state of the trade and commerce of the country, but to the means which we can command to give efficacy and success to them; and, whether canals, or rail roads, or turnpikes, shall in different situations be considered as best adapted to this end, to limit both capital and labor to a single object at a time, until that object is accomplished. It need not excite surprise, if, before a long time, with the exception of the level alluvial country, the rail will universally supercede the canal, having the advantage of cheapness, expedition, healthfulness, safety and certainty.

You will receive with other documents on this subject, a communication from the Governor of South Carolina, which looks to the improvement of the navigation of the Savannah river, by a concert of measures and combination of resources of that State and this, depending on the authority of their respective Legislatures, with my answer, which will disclose to you my own views and opinions in relation to the subject, and to which it may be only necessary to add that those views and opinions remain unchanged.

The honorable William Schley, in compliance with his engagements, has completed his Digest of the English Statutes. The work was approved by the Executive, and it is believed merits and will receive the approbation of the Legislature. If to this work were added a Digest of the Common and Statute Law, or if the principles of these, the Civil Law and of the Napoleon code, as applicable to our condition and circumstances, could be embodied in one general system of jurisprudence, taking the place of all, it would be worthy the re-

finement of the age, and would confer imperishable honor on the legislators and sages who would devise and execute it. No system of jurisprudence will avail for all the beneficent ends of its institution, without a well organized Judiciary to carry it into effect, and on this subject it may be sufficient to remind the Legislature of that defective organization of our own, to which its attention has been so repeatedly, but hitherto unprofitably called.

Our academic institutions continue to flourish, and Franklin College at the head of them, sustains its merited reputation. To its other Professorships a chair of Moral Philosophy Rhetoric and Belles Lettres, has been added, and the discipline and subordination maintained by the proper authorities, are not known to be surpassed by those which prevail in the best regulated Colleges of the country.

It is recommended to you to consolidate the poor school fund, to augment it, to secure by sufficient guards its faithful application, and to diffuse its benefits as extensively as possible among the poor and indigent. These are the classes of community who in their means of livelihood, fall below mediocrity; and who, on this account, as well as on account of their numbers, have the strongest claims for that assistance which will enable them by the instruction of primary schools, to discharge in peace and in war, with most usefulness to themselves and advantage to the country, all the duties of good citizens.

Of the militia, nothing will be added to the numerous invitations given to the Legislature for the revival and improvement of a system, so radically defective, that it is almost impossible to maintain the necessary organization under it—The evil has found a palliative, however, in the encouragement extensively given to the formation of volunteer corps (cavalry and infantry) which now present a force highly respectable for number, armament and discipline, ready to be called into service at a moment's warning, and inspired by the most patriotic sentiments.

The annual reports of the different Banks are submitted—The interests of the State, of the Stockholders, and of the trading and commercial community, claim your immediate attention to the actual condition of the Bank of Darien—Whether it shall be left to the operation of time, under the direction of the institution as established by the charter, to restore the capital with a view to ulterior active operations, or whether the Legislature, for the purpose of restoring the capital with a view either to further operations, or a final settlement of its affairs, shall take the management into their own hands, are alternatives submitted to your discretion. Your decision will be governed by an estimate of the deep stake which the Treasury has in the event—the inconvenience resulting to all the parties concerned, from a postponed restoration of the capital, of the proportion which the circulating medium bears to the actual demand for it, and of the powers which you yourselves possess of giving the desired efficacy to any measure for the accomplishment of either or all of these objects.

The organization of the Territory lately acquired by the Treaty of the Indian Springs, will be a subject of early attention. The public

reservations will particularly require a provision, which will not merely place them beyond the probability of trespass or invasion, but will make them available, with the least possible delay, for all the benefits and advantages expected to be derived from them.

The claims for militia services, remain unacted on by Congress. Our citizens interested in them suffer by the delay, whilst the delay results in no advantage to the United States. It is indeed a useless procrastination of what must inevitably come to pass as an irreversible decree of justice. The objection, hitherto taken, of the mention of these claims in the Articles of Agreement and Cession, must be satisfactorily removed by the evidence communicated from this Department, and which shews that the Commissioners of the United States, who negotiated the Articles, subsequently recognised the claims as in no manner connected with the stipulations of that instrument.

The militia claims and the territorial claims of Georgia, remaining unsatisfied for twenty or thirty years, have given rise to the unhappy differences, subsisting between the Federal Government and this. It is sincerely hoped that these differences approach to an amicable termination, and that enlightened counsels united to better feelings, will restore the harmony which it is so much the interest of both parties to cultivate and cherish.—Wrong has been done to Georgia—her views misrepresented, and her character traduced; but wrong will come to right, and what prejudice has misrepresented, history will correct.—That history from infancy to the present moment falsifies the charges by which malignancy has sought to make her odious. In all her departments, her representatives and magistracy, in peace and in war, have failed in nothing of their duty to the United States. To the constitutional law, a ready and cheerful obedience has been rendered at all times. In seasons of danger, her contributions have been given without stint, and her sword drawn upon the first appeal. If for these she claims no merit, she deserves no reproach—They are the righteous only whom we acknowledge as our peers, and to their judgment we submit our actions without bespeaking for them any thing but the award due to their intrinsic merits.

I cannot conclude this message without congratulating you on the blessings communicated to society by that universal toleration of religion (the guarantee of our political constitutions) by which the intolerant himself, as well as the believing and unbelieving, are exempt from all responsibility, but to their Maker, whilst the numerous Secretaries of the Christian Church, differing in creeds but united in the faith given to the sermon on the mount, preach and worship securely almost in the same temple, spreading the benignant doctrines of that sermon far and wide, impressing their sacredness by precept and example, and laying the prosperity of society in the deep foundations of a pure morality.

It becomes nations and communities, like individuals, from time to time to render homage and adoration to the Supreme Governor of the Universe, the Author of every good, to acknowledge his power, to

make confession of sins, to ask their forgiveness, to supplicate his mercy, and to deprecate his wrath. It especially becomes us, the most favored of the children of men, to display our gratitude and thankfulness for the continued dispensations of his parental goodness, by which our independence and liberties are preserved, our industry made fruitful, and its fruits protected—physical evils averted, and moral blessings multiplied, so that the prosperity and happiness we enjoy not only transcend our deserts, but promise a destiny, more elevated than any portion of the human family has attained. To set apart a day of Thanksgiving and Prayer for these past manifestations of a superintending Providence, may be thought an act of moral and religious duty, not inconsistent with the high political ones which you are required to perform, and may propitiate for us in the time to come, a continuance of the same benignant smiles which our unworthiness may forfeit, but which his loving kindness is ever ready to dispense to the humble supplications of the good and virtuous of all nations.

Your fellow citizen,

GEORGE M. TROUP.

Which was read and ordered to lie on the table, together with its accompanying documents.

The senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, November 8th, 1826.

Mr. Brown, of Camden, notified the Senate, that after to day he would move for the appointment of a committee to prepare and report a bill to amend the several acts incorporating St. Mary's.

Mr. Scarlett presented a memorial from James Fort, John Burnett, sen. Isaac Abrahams, Daniel Blue, Stephen C. King, John Burnett, jr. John Hardee, William B. Davis, Henry Dubignon and their associates, and signed by a number of other persons praying to be incorporated under the name and style of the "*Brunswick Canal Company*," and to be invested with other privileges and powers relating to the same, which was read and referred to a select committee, consisting of Messrs. Scarlett, Brown of Camden, Knight, Wimberly, Clayton of Clarke, Blair and Mathews.

Mr. Baker, of Warren, called up his resolution of yesterday, authorizing the President to appoint the several standing joint committees, which was read and agreed to.

Whereupon, the President appointed Messrs. Walker, Daniel, Clayton of Clarke, Burney, Anderson, Hoxey, Blair, Jones, and

Brown of Monroe, a committee, on the part of senate, on the state of the republic.

Messrs. Brown, of Hancock, Coffee, Wootten, Witt, Lawson, Beall, Brockman, Groves, and Foster a committee, on the part of senate on finance.

On banks, Messrs. Powell, of McIntosh, Harmon, Daniel, Hoxey, Stokes, Smith, and Alston.

On the judiciary, Messrs. Clayton, of Clarke, Burney, Footman, Brown, of Decatur, Sellers, Blackstone, and Wynn, of Gwinnett.

On agriculture and internal improvement, Messrs. Allen, Coffee, Footman, Mathews, Tippins, Williams, Scarlett, Wynn, of Hall, and Choice.

On public education and free schools, Messrs. Baker, of Warren, Baker, of Liberty, Powell, of McIntosh, Jones, Powers, Spann, Hendrick, Brown, of Monroe, and Brown of Camden.

On the penitentiary, Messrs. Powers, Horn, Scarlett, Young, Knight, Ray, and Dyll.

On the military, Messrs. Wimberly, Wellborn, Anderson, Janes, White, Thomas, Porter, Broadnax, and Young.

On printing. Messrs. Beall, Janes, Harris, Frazer, Scarborough, Love, and Strawn.

On petitions, Messrs. Spann, Powell, of Rabun, Harmon, Clayton, of Pulaski, and Cargille.

On enrollment, Messrs. Groves, Knight, Janes, Baker, of Liberty, and Brockman.

On the engrossed journal, Messrs. Hendrick, Broadnax, Williams, and Ray.

On privileges and elections, Messrs. Lawson, Wootten, and Love.

Mr. Knight notified the senate, that after to-day he would move for the appointment of a committee to prepare and report a bill, to compel the receivers of tax returns of taxable property for Lowndes county, hereafter elected, to receive the tax returns of the citizens of said county, whose tax are due the state prior to the year 1825, and make it the duty of tax collectors of said county to collect the same.

Mr. Choice notified the Senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to be entitled, an act to rent out the several improvements for the year 1827, in the late acquired territory.

Agreeably to notice, Mr. Scarlett moved for the appointment of a committee to prepare and report a bill, to give further time to fortify

late drawers in the land lotteries of the years 1818 and 1821, to take out their grants.

Ordered, That Messrs. Scarlett, Walker, and Porter, be that committee.

Agreeably to notice, Mr. Scarlett also moved for the appointment of a committee to prepare and report a bill, to alter and amend the road laws for the county of Glynn, so as to make the commissioners of roads elective by the people.

Ordered, That Messrs. Scarlett, Foster, and Wootten, be that committee.

On motion of Mr. Clayton, of Clarke,

Resolved, That so much of the Governor's communication as relates to the subject of the late treaties with the Creek Nation of Indians, and the differences between the general government and the State of Georgia on the question of jurisdiction and sovereignty, together with the correspondence and other documents connected therewith, be referred to the committee on the state of the republic.

That the part of said communication which refers to the condition and treatment of the McIntosh party of Indians, be also referred to the same committee.

That so much of the communication as relates to the extension of the laws of the state over that part of the territory of Georgia now in the occupancy of the Cherokee Indians, be referred to the committee on the judiciary.

That so much of the communication as relates to the running of the dividing line between this State and the State of Alabama, together with the accompanying documents relating to the same, be referred to the committee on the state of the republic.

That so much of the communication as relates to the appointment of a Chief Engineer, the report of the Board of Public Works, and the subjects of improvement adverted to in said communication, including the Governor of South Carolina's communication on the subject of opening the navigation of Savannah river, be referred to the committee on internal improvement.

That so much of the communication as relates to the completion of the Digest of the English Statutes by the hon. William Schley, together with the subject of a Digest of the Common and Statute Law mentioned in connexion with the same, be referred to the committee on the judiciary.

That so much of the communication as relates to schools and the poor school fund, be referred to the committee on education.

That so much of the communication as relates to the militia, be referred to the military committee.

That so much of the communication as relates to the banks, and the condition of the Darien bank, be referred to the committee on banks.

And that so much of said communication as relates to organizing the territory lately acquired by the treaty of the Indian Springs, and also the claims for militia services by certain citizens of the State, be referred to the committee on the state of the republic.

Mr. Clayton, of Clarke, also laid on the table the following resolution :

Resolved, That so much of the documents accompanying the communication, as relates to the late treaties with the Creek Indians, and the differences between the general government and the State of Georgia, and also the documents on the subject of running the dividing line between this State and the State of Alabama, be published for the use of the members of Senate, and the number of copies not to exceed two hundred.

On motion of Mr. Baker, of Liberty,

Resolved, That the joint committee on finance, be requested to inquire into the propriety of reducing the rate of interest in this State from eight per cent. per annum, with leave to report by bill or otherwise.

Mr. Sellers called up his resolution of yesterday, for the appointment of a committee on the part of senate, to join such as may be appointed by the house of representatives, to prepare and report a bill to provide for the adequate compensation of grand and petit jurors, which being read and agreed to, the president appointed on the part of senate, Messrs, Sellers, Burney, Daniel, Powell, of McIntosh, and Hoxey.

Agreeably to notice, Mr. Baker, of Warren, moved for the appointment of a committee to prepare and report a bill, to repeal an act, entitled an act, to lay off the state into seven congressional districts passed the 22d December, 1825.

Ordered, That Messrs. Baker, of Warren, Witt, and Coffee, be that committee.

Agreeably to notice, Mr. Broadnax moved for the appointment of a committee to prepare and report a bill to divorce and separate Elizabeth Palmer and Elisha Palmer her husband.

Ordered, That Messrs. Broadnax, White, and Harris, be that committee.

Agreeably to notice, Mr. Wynn, of Hall, moved for the appointment of a committee to prepare and report a bill to repeal an act entitled "an act to set apart and reserve for the use of the state, all valuable ores, mines and minerals which have been or may hereafter be discovered upon lands, which now are or may hereafter be the property of the State of Georgia; and to make penal and provide for the punishment of the removing, carrying away, or secreting the same, to the loss of the State."

Ordered, That Messrs. Wynn, of Hall, Matthews, and Lawson, be that committee.

Agreeably to notice, Mr. Harris moved for the appointment of a committee to prepare and report a bill, to appoint commissioners to

dispose of and sell the lumber and site for the new court-house at Wiley Robson's in the county of Wayne.

Ordered, That Messrs. Harris, Knight, and Strawn, be that committee.

Mr. Walker presented a petition from a number of the citizens of Georgia residing in the city of Augusta, praying an act of incorporation under the style and title of "The Unitarian Society in Augusta, Georgia," which was received, read, and referred to a select committee, consisting of Messrs. Walker, Hendrick, and Brockman.

Mr. Allen presented a petition from Alexander Ware, asking for further indulgence for the payment of the amount due the State by him, for the purchase of fractional surveys at the late sale, which was received, read, and referred to a select committee, consisting of Messrs. Allen, Jones, and Harmon.

Mr. Burney notified the Senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill, to amend the judiciary act of 1799, so far as relates to mortgages on real estates.

Mr. Choice also notified the senate, that after to-day he would move for the appointment of a committee to prepare and report a bill, to be entitled an act, to amend an act, entitled an act to incorporate the De Kalb county academy; passed the 20th December, 1825.

Mr. Matthews presented the petition of sundry individuals, praying the incorporation of an academy situated about 5 miles from Macon, which was received and read; and leave also being obtained, Mr. Matthews reported instantly a bill "to incorporate the Lake academy in the county of Bibb," which was read the first time.

Mr. Sellers presented a petition from John C. Gallman, praying to be allowed a participation in the approaching land lottery, which was received, read and referred to a select committee, consisting of Messrs. Sellers, Powell, of Rabun, and Ray.

Mr. Tippins presented a petition from Joseph Durrence, tax collector for the year 1822 of Tattnall county, praying to be allowed the privilege of laying another insolvent list before the grand jury of said county, in order that he may be reimbursed in the sum which he believes to have been unlawfully collected from him; which was received, read, and referred to a select committee consisting of Messrs. Tippins, Thomas, and Love.

Agreeably to notice, Mr. Blackstone moved for the appointment of a committee to prepare and report a bill, to add the reserve at the agency on this side Flint river, to Crawford county.

Ordered, That Messrs. Blackstone, Broadnax, and Scarborough, be that committee.

Agreeably to notice, Mr. Burney moved for the appointment of committee to prepare and report a bill to incorporate Constitution Hall academy in Jasper county.

Ordered, That Messrs. Burney, Cargille, and Alston, be that committee.

Agreeably to notice, Mr. Clayton, of Clarke, moved for the appointment of a committee to prepare and report a bill, to alter the 1st section of the 4th article of the constitution, so as not to require the payment of taxes to entitle a citizen to a vote for members of the general assembly.

Ordered, That Messrs. Clayton, Wellborn, and Wimberly, be that committee.

Mr. Clayton, of Clarke, also, agreeably to notice, moved for the appointment of a committee to prepare and report a bill, to define the liability of indorsers on promissory notes, and place them upon the same footing of securities.

Ordered, That Messrs. Clayton, of Clarke, Burney, and Daniel; be that committee.

Agreeably to notice, Mr. Stokes moved for the appointment of a committee to prepare and report a bill, requiring all sheriffs in this state, that after making a levy on personal property by virtue of any execution in their hands, the defendant shall have the liberty of giving bond with approved security in double the amount, for the delivery of said property on the day of sale, unless good cause be shewn to the contrary.

Ordered, That Messrs. Stokes, Powell, of McIntosh, and Beall; be that committee.

Mr. Jones notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill, to alter and amend the 2d section of the 4th article of the constitution, so as to compel members of the general assembly to vote *viva voce*.

Mr. Foster notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill, to alter the mode of filling the vacancies of sheriffs, clerks of the superior and inferior courts, tax collectors, and receivers of tax returns.

Mr. Strawn presented a petition from Sarah Sampler, praying to be allowed a chance for a draw in the approaching land lottery, which was received, read, and referred to a select committee, consisting of Messrs. Strawn, Smith, and Foster.

Mr. Walker from the select committee appointed, reported a bill to be entitled, "an act to incorporate the Unitarian Society in Augusta, Georgia," which was read the first time.

Mr. Scarlett from the committee appointed, reported a bill to be entitled, an act to extend the time for fortunate drawers in the land lotteries of 1818, 1819, and 1821, to take out their grants; which was read the first time.

Mr. Clayton, of Clarke, presented a petition from David Akridge, praying to be allowed the privilege of participating in the present contemplated land lottery; which was received, read, and referred

to a select committee, consisting of Messrs. Clayton, of Cla ke, Clayton, of Pulaski, and Young.

Mr. Porter notified the senate that he would, after to day, move for the appointment of a committee to prepare and report a bill, to add a part of the territory lately acquired from the creek nation of Indians, to the county of Baker.

Mr. Spann notified the Senate, that after to day, he would move for the appointment of a committee to prepare and report a bill, to repeal an act passed the 20th of December, 1823, establishing district elections in the counties of Tellair, Early, and Appling, so far as respects the county of Early.

Mr. Sellers notified the Senate, that after this day, he would move for the appointment of a committee to prepare and report a bill, to amend the several acts heretofore passed in this state, to regulate the granting attachments and issuing summons of garnishment.

On motion of Mr. Powers,

Resolved, That the joint judiciary committee, be and they are hereby required, to enquire into the propriety of introducing a bill, to revise, amend, and consolidate the several laws now in force, for the establishment and government of courts of ordinary, for the appointment, qualification or government of executors, administrators, guardians, and orphans, and the distribution of estates, and that they have leave to report by bill or otherwise ; which was read and agreed to.

The senate adjourned until to morrow morning 10 o'clock.

THURSDAY, November 9, 1826.

Mr. Jones notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to refer the congressional district system to the people.

Mr. Hendrick laid on the table the following preamble and resolution:

Whereas, The penitentiary system of this State is a subject in which a considerable interest is felt by the citizens of this State—
And whereas, a very considerable difference of opinion is entertained with regard to its utility, both as to its moral and pecuniary influence, and *whereas*, on all subjects of such importance to the public it is desirable both to the representatives of the people, and the people themselves, to ascertain as nearly as practicable the wishes of the people;

Be it therefore resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met. That it shall be the duty of the magistrates presiding at the next general election, in the different counties in this State for members of the Legislature, to propose to each and every voter at the time of receiving his vote, whether he is in favor of continuing the penitentiary system in this State or not; and to request such voter to signify his opinion in the following manner, to wit—those in favor of its continuance by endorsing on his ticket the word *penitentiary*, and those opposed to it the words *no penitentiary*; and on counting out the ballots, to annex to the return a true statement of the votes so given, to the end that the same may be laid before the next Legislature by his excellency the Governor.

And be it further Resolved, That his excellency the Governor, is hereby requested to have the foregoing preamble and resolution published in all the public gazettes in this State, for — months preceeding the next general election.

Mr. Daniel presented a petition from Maj. John Scriven, praying the payment of certain bills of credit issued by the Legislature under and by authority of an act of the same, passed the 14th day of Aug. in the year 1786. Which was received, read and referred to a select committee, consisting of Messrs. Danie, Blair and Clayton, of Clarke, with leave to report by bill or otherwise.

Mr. Blackstone, from the committee appointed, reported a bill to add the reserve at the old Agency on the east side of Flint river, to the county of Crawford.

Which was read the first time.

The following communications were received from his excellency the Governor, by his Secretary, Mr. Pierce, to wit:

EXECUTIVE DEPARTMENT, GA.
Milledgeville, 8th November, 1826.

*Mr President and
Gentlemen of the Senate:*

Since the last meeting of the Legislature two cases of murder have been presented, claiming the interposition of the Executive clemency—the one of Levi White, convicted before the superior court of Walton county, the execution of whose sentence was postponed to the 1st day of Dec. next in consequence of the recommendation of the judge and jury and others—and that of Hugh Gallagher, convicted of the murder of Joseph Morgan, at a superior court in the county of Bibb, and sentenced to be executed on the 15th day of September last.

This unfortunate man was respited in the first instance from a belief founded on the evidence, that the homicide had been committed in a fit of insanity, and that the perpetrator was not an accountable being. This belief was corroborated by testimony of various kinds subsequently received, and it was resolved to prolong the respite to the 27th of this month, so that the case might be submitted to you, accompanied by all the facts connected with it. Supposing the party

to have been of sound mind, it presents a case of atrocious murder committed on the body of a valuable citizen without a mitigating circumstance—but supposing the contrary we are forbidden to enforce the sentence against him, because he who is not accountable to his Maker cannot, consistently with humanity, be made accountable to man—And yet the alternative of returning to society a member of it at all times liable to interrupt its peace and safety, is the more distressing, as it is not believed that the power of changing the sentence has been lodged with either the Executive or Legislative authority.

The original documents, as well in the case of White as Gallaher, that were presented to the Executive, are transmitted to the house of representatives for the use of both branches of the Legislature, with a request that when the cases are finally disposed of, they may be returned to this Department.

(Signed)

G. M. TROUP.

Which was read and referred to a select committee, consisting of Messrs. Blair, Burney, Clayton, of Clarke, Coffee, and Walker.

Executive Department, Ga.
Milledgeville, 8th Nov. 1826. }

Mr President and

Gentlemen of the Senate :

In compliance with his engagements, under a resolution of the Legislature of the 11th day of June, 1825. C. R. Parker has submitted for the approval of the Governor, the portraits of Washington, Franklin, Jefferson, Fayette, and Oglethorpe.

These portraits presenting as it is believed, correct likenesses, appear to have been executed with fidelity and good taste, and may be pronounced by competent judges, highly creditable to the artist.—Having been approved by the Executive, and the terms offered by Mr. Parker, considered reasonable, nothing will remain to fulfil the engagements on either side, but the approval of the Legislature and a consequent act of appropriation to cover the expense.

(Signed)

G. M. TROUP.

Which was read, and together with the accompanying documents, referred to the committee on finance.

Executive Department, Ga.
Milledgeville, Nov. 8, 1826. }

Mr. President and

Gentlemen of the Senate :

A list of executive appointments made during the recess, and a statement of warrants drawn on the Treasurer during the political year 1826, are laid before the Legislature.

(Signed)

G. M. TROUP.

Which, together with the list of appointments were read, and ordered to lie on the table.

26
Executive Department, Ga. }
Milledgeville, Nov. 9, 1826.

*Mr. President and
Gentlemen of the Senate:*

The enclosed document will advise the Legislature that it may be expedient to authorise a re survey of the eleventh district of the county formerly Irwin, now Lowndes.

(Signed)

G. M. TROUP

Which, together with the enclosed document were read, and referred to a select committee, consisting of Messrs. Knight, Thomas, Ray, Brown, of Decatur, and Dyall.

Executive Department, Ga. }
Milledgeville, Nov. 9, 1826.

*Mr. President and
Gentlemen of the Senate:*

The vacancy in the first brigade of the sixth division, occasioned by the resignation of brigadier-general Blackshear, and that in the first of the seventh division, occasioned by the resignation of brigadier general Cleveland, are submitted to the Legislature.

(Signed)

G. M. TROUP

Which being read was ordered to lie on the table.

The following message was received from the house of representatives, by Mr. Dawson, their clerk, to wit:

Mr. President:

The house of representatives have, through their Speaker, appointed the following standing committees to join such as may be appointed on the part of senate.

On the State of the Republic.

Messrs. Holt, of Richmond, Campbell, Tait, Burnside, Turner, Bates, Birdsong, Day, Hutchins, of Gwinnett, Dougherty, Thomas, and Beal.

On Finance.

Messrs. Hull, of Clarke, Murray, Lawhon, Saffold, Kolb, Robinson, of Jasper, Heard, Chambers, Freeman, of Oglethorpe, Render, Cone, and Dye.

On Banks.

Messrs. Myers, West, Mealing, Hay, Lewis, Howard, of Baldwin, Childers, Bunn, Pettit, and Watson, of Early.

On the Judiciary.

Messrs. Thomas, Burnside, Holt, of Richmond, S. Field, Haynes, Myers, Davis, Dougherty, Lawhon, and Howard, of Baldwin.

On Agriculture and Internal Improvement.

Messrs. Turner, Barnard, Hutchings, of Jones, Way, Hicklin, Jordan, Thompson, Bledsoe, Martin of Franklin, Akins, Hazzard, and Knight.

On Public Education and Free Schools.

Messrs. Campbell, Moncrief, Moore, Gholson, Bacon, Brooks, Phillips, Perry, Abercrombie, Freeman, of Franklin, Adair, and Ash.

On the Penitentiary.

Messrs. Featherston, Quarterman, Blackburn, Kennon, Wilcox, Cochran, Mills, Menroe, Collier, Johnson, and Denmark.

On the Military.

Messrs. Watson, of Baldwin, Abercrombie, Gilmore, Featherston, Tuttle, Smith, of Jasper, Echols, Wofford, Floyd, Billups, Bynce, and Wood.

On Printing.

Messrs. Robertson, of Chatham, Primrose, Leonard, Burton, Holt, of Jefferson, Watson, of Baldwin, Tuttle, Beall, Barnett, and King, of McIntosh.

On Enrollment.

Messrs. Jones, Dillard, Smith of Jones, Kellum, Clopton, Cobb, and King, of Crawford.

To which they desire concurrence. And he withdrew.

The senate took up the message and concurred therein, and joined on their part the several committees appointed on yesterday.

Mr. Broadnax, from the committee appointed, reported a bill to be entitled an act to separate and divorce Elizabeth Palmer, formerly Elizabeth Daniel, and Elisha Palmer her husband.

Which was read the first time.

Mr. Brown, of Camden, presented a petition from Alfred Doolittle, praying for himself and wife a chance for draws in the approaching land lottery.

Which was received and read and referred, together with the accompanying documents, to a select committee, consisting of Messrs. Brown, of Camden, Powell, of McIntosh, and Scarlett.

Mr. Baker, of Liberty, also presented a petition from Littleberry Johns, praying to be allowed a chance for a draw in the same.

Which was received, read and referred to the same committee.

Mr. Baker, of Warren, notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to incorporate the baptist church on Williams' creek, in Warren county.

Mr. Baker, of Warren, also from the committee appointed, reported a bill to repeal an act entitled an act to lay off the State into seven congressional districts, passed 22d Dec 1845.

Which was read the first time.

Mr. Janes presented a petition from Willie Alford, praying to be allowed a chance for draws in the contemplated land lottery,

Which was received, read, and together with its accompanying documents, referred to a select committee, consisting of Messrs. Janes, Harman, and Coffee.

Mr. Brown, of Monroe, notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to alter and amend an act passed at the last session, entitled an act to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, from the Creek nation of Indians, so as to extend the time for taking in draws to the first of January next.

Agreeably to notice, Mr. Sellers moved for the appointment of a committee to prepare and report a bill to amend the several acts heretofore passed in this State, to regulate the granting of attachments and issuing summons of garnishment.

Ordered, That Messrs. Sellers, Burney, and Clayton, of Clarke, be that committee.

Mr. Anderson notified the senate, that after to day he would move for the appointment of a committee to prepare and report a bill to grant temporary relief to purchasers of fractional parts of surveys lots or islands sold at the sales of this State.

On motion of Mr. Clayton, of Clarke,

Resolved, That the committee on the State of the Republic enquire into the expediency of renewing the application on the part of this State to the General Government to make another attempt to extinguish the title to the lands now in the occupancy of the Cherokee Indians, within the limits of this State. And in order to facilitate that object, to request the General Government to propose a treaty allowing reservations to the Indians, the aggregate numbers and amount of which not to exceed one sixth of the territory acquired, subject to be afterwards extinguished for the use of Georgia.

Which was read and agreed to.

Mr. Groves presented a petition from sundry inhabitants of the counties of Oglethorpe and Madison.

Which was received, read and referred to a select committee, consisting of Messrs. Groves, Brockman, and Allen.

On motion of Mr. Powell, of McIntosh,

Resolved, That George T. Rogers be, and he is hereby, appointed commissioner of pilotage for the port of Darien, in the place of John Hunter, removed.

Which was read and agreed to.

Mr. Brockman presented a petition from a number of individuals residing on the dividing line between Oglethorpe and Greene counties, praying to have the academy in their vicinity incorporated under the name and style of Arthur Academy; and to appoint trustees for the same.

Which was received read and referred to a select committee, consisting of Messrs. Brockman, Janes, and Jones.

Agreeably to notice, Mr. Knight moved for the appointment of a committee to prepare and report a bill to be entitled an act to compel the receivers of tax returns of taxable property for Lowndes county, hereafter elected, to receive the tax returns of the citizens of said county whose tax are due the State prior to the year 1825, and make it the duty of tax collectors of said county to collect the same.

Ordered, That Messrs. Knight, Dyall, and Tippins be that committee.

Mr. Tippins notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to repeal an act entitled an act to lay off Emanuel and Tatnall counties into election districts, passed the 9th day December, 1824, so far as respects the county of Tatnall.

On motion of Mr. Harmon,

Resolved, That the secretary of senate be, and he is hereby authorised, to deliver to Hugh Wilson the original petition and accompanying documents of the said Wilson a revolutionary soldier, which are on file in his office.

Mr. Powell, of Rabun, presented a petition from a number of the inhabitants of Rabun county, praying a transfer of the money appropriated to their county academy to the assistance of common schools in said county.

Which was received read and referred to a select committee, consisting of Messrs. Powell, of Rabun, Clayton, of Clarke, Blair, Groves and Anderson.

Mr. Cargill notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to incorporate Butts county academy, and to appoint commissioners for the same; and to authorise the justices of the inferior court of said county to select and convey a suitable lot in the town of Jackson, in said county, to said commissioners for the use of said academy.

Mr. Allen presented a petition from James Dudley, and signed by a number of individuals, praying to have a fee simple title granted him, in and to a certain fractional survey of land lying in the county of Butts.

Which was received read and referred to a select committee, consisting of Messrs. Allen, Wooten, and Cargill, with leave to report by bill or otherwise.

On motion of Mr. Clayton, of Clarke,

Resolved, That both branches of the General Assembly will con-

were in the representative chamber on Saturday next at 12 o'clock, for the purpose of electing by joint ballot a solicitor general of the southern circuit, in the place of Thomas D. Mitchell, deceased, and a solicitor-general of the northern circuit, in the place of John B. Stewart, deceased.

The following bills were taken up read the second time and ordered for a committee of the whole.

A bill to regulate the intercourse between the banks of this State and other institutions and brokers.

A bill to extend the time for fortunate drawers in the land lottery of 1818, 1819 and 1821, to take out their grants.

And a bill to incorporate the Unitarian Society, in Augusta, Geo.

The bill to incorporate Lake Academy, in the county of Bibb, was taken up read the second time and ordered for a third reading.

Mr. Anderson notified the senate, that after to-morrow, he would move for the appointment of a committee to prepare and report a bill to repeal the 5th section of an act amendatory of an act, passed the 9th June, 1825, to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, and to exclude the names of the illegitimate children, who have given in for a draw in the present contemplated land lottery, from any participation in the same.

Mr. Knight, from the committee appointed, reported a bill to compel the next receiver of tax returns for taxable property for Lowndes county, to receive the tax returns of citizens of said county whose taxes are due the State prior to the year 1825, and to make it the duty of the next collector to collect said taxes.

Which was read the first time.

Mr. Clayton, of Clarke, notified the senate, that he would after to-day, move for the appointment of a committee to prepare and report a bill to alter the 7th section of the 1st article of the constitution, so as to reduce the number of members in the house of representatives.

Also a committee to prepare and report a bill to alter the 3d section of the 1st article of the constitution, so as to reduce the number of senators of the General Assembly of this State.

Mr. Beall reported instant a bill to make the estate of all attorneys at law liable to pay before any other debts, all sums of money placed in their hands for collection.

Which was read the first time.

Mr. Blackston notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to be entitled an act to add part of the lately acquired territory to the county of Crawford.

Agreeably to notice, Mr. Foster moved for the appointment of a committee to prepare and report a bill to alter the mode of filling the vacancies of sheriffs, clerks of the superior and inferior courts, tax collectors, and receivers of tax returns.

Ordered, That Messrs. Foster, Beall, and Wooten be that committee.

The senate took up the resolution laid on the table yesterday by Mr. Clayton, of Clarke, relative to the printing of sundry documents accompanying the Governor's communication.

Which was amended to read as follows and agreed to, to wit :

Resolved, That so much of the documents accompanying the communication as relates to the late treaties with the creek Indians, and the differences between the General Government and the State of Georgia ; and also the documents on the subject of running the dividing line between this State and the State of Alabama, be published for the use of the members of senate, the number of copies not to exceed two hundred ; and that this resolution be referred to the joint committee on printing, with instructions to have the said documents published at a specified time, not to exceed the space of two weeks from this time.

Agreeably to notice, Mr. Choice moved for the appointment of a committee to prepare and report a bill to amend an act entitled an act to incorporate the De Kalb county academy, passed the 20th Dec. 1825.

Ordered, That Messrs. Choice, Jones, and Thomas, be that committee.

Agreeably to notice, Mr. Choice also moved for the appointment of a committee to prepare and report a bill to rent out the several improvements for the year 1827 in the late acquired territory.

Ordered, That Messrs. Choice, Broadnax, Blackstone, White, and Wynn, of Gwinnett, be that committee.

Agreeably to notice, Mr. Spann moved for the appointment of a committee to prepare and report a bill to repeal an act, passed the 20th of Dec. 1823, establishing district elections in the counties of Telfair, Early, and Appling, so far as respects the county of Early.

Ordered, That Messrs. Spann, Scarborough, and Coffee, be that committee.

Mr. Spann presented the petition of Barthamy Kelly, widow of William Kelly, dec. praying relief on account of the purchase, by her late husband, of fraction number four hundred and one, in the twenty eighth district of Early county.

Which was read and referred to a select committee, consisting of Messrs. Spann, Horn, and Porter, with power to report by bill or otherwise.

The senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, November 10th, 1825.

Mr. Brown, of Camden, agreeably to notice, moved for the appointment of a committee to prepare and report a bill, amendatory of the several acts incorporating St. Mary's.

Ordered, That Messrs. Brown, of Camden, Scarlett, and Porter, be that committee.

Mr. Blair from the committee appointed, reported a bill to pardon Levi White, which was received and read the first time.

On motion,

The honorable senators from the counties of Telfair and Baker, were added to the committee on so much of the Governor's communication as relates to the survey of the 11th district of formerly Irwin now Lowndes.

Mr. Burney, from the committee appointed, reported a bill to incorporate Constitutional Hall academy, in Jasper county, which was received and read the first time.

Mr. Brockman, from the committee appointed, reported a bill to incorporate Arthur academy in Oglethorpe county, which was received and read the first time.

Mr. Beall laid on the table the following resolution, amendatory to a resolution approved the 17th day of December, 1825, appointing commissioners to examine the roads leading from Jenckes's bridge on Ogeeche river, to the town of Macon in Bibb county.

Resolved therefore, That Matthew Caswell of Wilkinson county, be and he is hereby appointed one of the Commissioners on the said road.

Mr. Groves, from the committee appointed, reported a bill to add a part of Oglethorpe to the county of Madison, which was received and read the first time.

Mr. Janes had leave to introduce instantler, a bill to change the name of James James to that of Henry James, which was received and read the first time.

Mr. Alston notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill, to alter the time of the sitting of the superior court in the Middle circuit, so far as respects the county of Montgomery.

Mr. White notified the Senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to incorporate the Franklin academy in Upson county, and appoint trustees for the same.

Mr. Williams presented the petition of Jinny Poindexter of Baldwin county, which was read and referred to a committee, consisting of Messrs. Williams, Clayton, of Clarke, and Burney.

Mr. Harris, from the committee appointed, reported a bill to authorise certain commissioners to sell and dispose of the lumber and site for the new court-house at Wiley Robson's in Wayne county, which was received and read the first time.

Mr. Baker, of Warren, agreeably to notice, moved for the appointment of a committee to prepare and report a bill to incorporate the Baptist church on Williams's creek in Warren county.

Ordered, That Messrs. Baker, of Warren, Smith, and Clayton, of Pulaski, be that committee.

Mr. Burney notified the Senate, that after to day, he would move for the appointment of a committee to prepare and report a bill, to separate and divorce Joseph Duke and Jane Duke his wife.

Agreeably to notice, Mr. Porter moved for the appointment of a committee to prepare and report a bill, to add a part of the territory lately acquired from the Creek nation of Indians, to the county of Baker.

Ordered, That Messrs. Porter, Spann, and Scarborough, be that committee.

Mr. Spann, from the committee appointed, reported a bill to repeal an act passed the 20th day of December, 1823, establishing district elections in the counties of Telfair, Early, and Appling, so far as respects the county of Early; which was received and read the first time.

Agreeably to notice, Mr. Tippins moved for the appointment of a committee to prepare and report a bill, to repeal an act, entitled an act, to lay off Emanuel and Tattnall counties into election districts, passed the 9th day of December, 1824, so far as respects the county of Tattnall.

Ordered, That Messrs. Tippins, Strawn, and Love, be that committee.

On motion of Mr. Sellers,

Resolved, That the President of senate be authorized to assign a seat within the bar of the senate, to any person or persons who may desire to report the proceedings and debates of senate.

Mr. Burney, agreeably to notice, moved for the appointment of a committee to prepare and report a bill to amend the judiciary act of 1799, so far as relates to mortgages on real estates.

Ordered, That Messrs. Burney, Clayton, of Clarke, and Powell, of McIntosh, be that committee.

Mr. Blackstone, agreeably to notice, moved for the appointment of a committee to prepare and report a bill to add a part of the lately acquired territory to the county of Crawford.

Ordered, That Messrs. Blackstone, White, and Wellborn, be that committee.

On motion of Mr. Hendrick,

The Senate took up the following resolution :—

Whereas, The Penitentiary system of this State is ~~is~~ subject in which a considerable interest is felt by the citizens of this ~~State~~. And ~~whereas~~, a very considerable difference of opinion is entertained with regard to its utility, both as to its moral and pecuniary influence, and ~~whereas~~, on all subjects of such importance to the public it is desirable both to the representatives of the people and the people themselves, to ascertain as nearly as practicable the wishes of the people,

Be it therefore resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That it shall be the duty of the magistrates presiding at the next general election, in the different counties of this State for members of the Legislature, to propose to each and every voter at the time of receiving his vote, whether he is in favor of continuing the penitentiary system in this State or not; and to request such voter to signify his opinion in the following manner, to wit—those in favor of its continuance by endorsing on his ticket the word *penitentiary*, and those opposed to it the words *no penitentiary*; and on counting out the ballots, to annex to the return a true statement of the votes so given, to the end that the same may be laid before the next Legislature by his excellency the Governor.

And be it further Resolved, That his excellency the Governor, is hereby requested to have the foregoing preamble and resolution published in all the public gazettes in this State, for — months preceeding the next general election.

Which was read and amended by filling the blank therein with the number "six," and ordered to lie on the table for the present.

Agreeably to notice, Mr. Anderson moved for the appointment of a committee to prepare and report a bill, to repeal the 5th section of an act, amendatory of an act passed the 9th of June, 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia, of the creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, and to exclude the names of the illegitimate children who have given in for a draw in the present contemplated land lottery, from any participation in the same.

Ordered, That Messrs. Anderson, Lawson, and Wimberly, be that committee.

Mr. Anderson, agreeably to notice, also moved for the appointment of a committee to prepare and report a bill, to grant temporary relief to purchasers of fractional parts of surveys, lots or islands, sold at the sales of this State.

Ordered, That Messrs. Anderson, Matthews, and Brown of Monroe, be that committee.

Mr. Coffee presented a communication from William Triplett, esq. comptroller general, accompanied with documents, and an account of the receipts and disbursements at the treasury during the political year 1826.

Which was read and referred to the committee on finance.

On motion of Mr. Daniel, the honorable senator from the county of Wilkinson had leave of absence for a few days.

Mr. Dyall had leave to introduce instantler, a bill to legitamatize and change the name of James A. Jarrell to that of James A. Sweatt. Which was read the first time.

Mr. Clayton, of Clarke, from the committee appointed, reported a bill, to define the liability of indorsers of promissory notes and other instruments, and to place them upon the same footing with securities.

Which was read the first time.

Mr. Brown, of Monroe, from the committee appointed, reported a bill amendatory of an act passed the 24th day of December, 1825, entitled an act amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United Statss for the use of Georgia of the creek nation of Indians, by a treaty made and concluded on the 12th day of February, 1825,

Which was read the first time.

Mr. Wynn, of Hall, from the committee appointed, reported a bill to repeal an act, entitled an act, to set apart and reserve for the use of the State, all valuable ores, mines, and minerals which have been or may hereafter be discovered upon lands, which now are, or may hereafter be the property of the State of Georgia, and to make penal, and provide for the punishment of the removing, carrying away, or secreting the same to the loss of the State, passed the 24th December, 1825.

Which was read the first time.

Mr. Strawn, from the committee appointed, reported a bill to entitle Sarah Sampler, of Fayette county, to a participation in the present contemplated land lottery.

Which was read the first time.

The bill to compel the next receiver of tax returns for taxable property for the county of Lowndes, to receive the tax returns of citizens of said county whose taxes are due to the state prior to the year 1825, and to make it the duty of the next collector to collect said taxes, was read the second time and ordered for a third reading.

The following bills were read the second time, and ordered for a committee of the whole.

The bill to repeal an act, entitled an act, to lay off the State into seven congressional districts, passed 22d December, 1825.

The bill to make the estates of all attorneys at law, liable to pay before any other debt all sums of money placed in their hands for collection.

The bill to divorce and separate Elizabeth Palmer and her husband Elisha Palmer, and

The bill to add the reserve at the old Agency on the east side of Flint river to the county of Crawford.

The bill to incorporate Lake academy in the county of Bibb, was read the third time and passed.

The senate resolved itself into a committee of the whole on the

bill to incorporate the Unitarian society in Augusta, Georgia, Mr. Scarlett in the chair.

The President resumed the chair, and Mr. Scarlett reported the bill without amendment.

The Senate took up and agreed to the report.

The bill was read the third time and passed.

Mr. Brown from the committee appointed, reported a bill to amend the several acts incorporating the town of St. Mary's.

Which was read the first time.

Mr. Scarlett, from the committee appointed, reported a bill to alter and amend the road laws of Glynn county, passed December the 24th, 1825.

Which was read the first time.

Agreeably to notice, Mr. Cargille moved for the appointment of a committee to prepare and report a bill to incorporate Butts county Academy, and appoint commissioners for the same, and to authorize the justices of the inferior court of said county to select and convey a suitable lot in the town of Jackson in said county, to said commissioners for the use of the said academy.

Ordered, That Messrs. Cargille, Burney, and Powell, of Rabun, be that committee.

Mr. Jones laid on the table the following resolution :

Be it resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the justices superintending elections at the next general election for members of the Legislature, shall require each voter who shall be in favor of laying out the State into congressional districts to write the word "District" on the back of his ticket, and all tickets on which that word is not written, shall be considered as opposed to Districts, and a return shall be made by the said justices accordingly to his excellency the Governor to be laid by him before the next legislature, in order that they may act advisedly on the subject.

Mr. Brown, of Monroe, notified the Senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill, to sell fraction No. 241, in the 5th district of Monroe county, which was omitted to be sold by the commissioners at the sale of the fractions.

On motion of Mr. Jones,

Resolved, That George Pullen, of Newton county, be and he is hereby appointed a commissioner to keep open the river for the free passage of fish, in the place of Michael Whatley, deceased

Mr. Ray notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to make permanent the site of the public buildings in the county of Thomas, and to name the same, and to authorize the Justices of the Inferior court to lay off said county into Captain's districts.

The senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, November 11, 1826.

On motion of Mr. Allen,
Mr. Daniel was added to the joint committee on agriculture and
internal improvement.

On motion of Mr. Hoxey,
The honorable senator from the county of Clarke, was added to
the committee on finance.

Mr. Clayton, of Clarke, from the committee appointed, reported a
bill to alter the 1st section of 4th article constitution, so as not to
make the payment of taxes previous to the general election, a quali-
fication necessary to entitle a citizen to vote for members of the
general assembly.

Which was read the first time.

Mr. Thomas laid on the table the following resolution :

Resolved, That Henry Hagan, Edward Mathews, Richard Strick-
land, Bryant Lane, and Solomon Mobley, be, and they are hereby,
appointed commissioners of Appling county academy.

And be it further resolved. That James Lee, James Mathews, John
G. Smith, sen. Richard Bennett, and David Sumnerville, be, and they
are hereby, appointed trustees of the same.

And be it further resolved, That the said appointed commissioners
be, and they are hereby, authorised and required to demand and re-
ceive from their predecessors, the former commissioners, such sum
and sums of monies as have been drawn from the treasury for the
use of the Appling county academy, and which have not been pro-
perly applied to the use of said academy ; and that in default of
payment, the above named commissioners or a majority of them be,
and they are hereby, authorised and required to sue for and recover
such sum and sums as their predecessors shall refuse to pay over.

The following message was brought from the house of representa-
tives by Mr. Dawson, their clerk, to wit :

Mr. President :

The House of Representatives have concurred in the resolution
of Senate—one appointing George T. Rogers a commissioner of pi-
lotage for the port of Darien—one requesting a committee on the
part of the house to join the one already appointed by senate, to pre-
pare and report a bill to provide for the adequate compensation of
grand and petit jurors.

And also in the resolution of senate, relative to the election of cer-
tain solicitors general, with amendments, to which amendments they
request the immediate agreement of the senate.

The house has agreed to a resolution appointing this day at the
hour of 11 o'clock for the election of a brigadier general for the 1st
brigade of the 6th division, a brigadier general for the 1st brigade of
the 7th division—to which they desire the immediate concurrence of
the senate.

They have passed a bill to be entitled an act to authorise certain commissioners therein named, to raise by lottery, a fund for the erection of Monuments to the memory of Greene and Pulaski, in the city of Savannah.

And he withdrew.

Mr Baker, of Warren, from the committee appointed, reported a bill to incorporate the Baptist church on Williams' creek, in Warren county.

Which was read the first time.

The hon. John Joyce, senator elect from the county of Irwin, appeared, produced his credentials, and being qualified by the President, took his seat.

Mr. Brockman notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill amendatory and explanatory of the 18th and 19th sections of an act to alter and amend the several judiciary acts now in force in this State, so far as relates to justices courts, passed Dec. 14, 1811.

Mr. Allen, from the committee appointed, reported a bill for the relief of Alexander Ware.

Which was read the first time.

The senate took up the message this day received from the house of representatives; and the bill contained therein was read the first time.

The senate took up the amendments made by the house of representatives to the resolution of the senate appointing this day at the hour of 12 o'clock for the election of two solicitors general, and concurred in the same, so far as to strike out 12 and insert 11 o'clock, and the further amendment to said resolution in the words following, to wit—"And also a judge of the court of Oyer and Terminer for the city of Savannah"—being read,

On motion of Mr. Daniel to disagree thereto it was determined in the negative.

And the yeas and nays being required are—yeas 22, nays 37.

Those in the affirmative are,

Messrs.

Alston	Daniel	Lawson
Anderson	Footman	Porter
Baker, of Liberty	Foster	Powers
Blair	Frazer	Spann
Brown of Decatur	Groves	Thomas
Brockman	Horn	Tippins
Coffee	Hoxey	Walker

Those in the negative are,

Messrs.

Allen	Harris	Smith
Baker, of Warren	Hendrick	Stokes

Blackstone	Janes	Strawn
Broadnax	Joice	White
Brown of Camden	Jones	Wellborn
Brown of Monroe	Knight	Williams
Burney	Love	Wimberly
Cargille	Matthews	Wooten
Choice	Powell of McIntosh	Wynn of Gwinnett
Clayton of Clark	Ray	Wynn of Hall
Clayton of Pulaski	Scarborough	Young
Dyall	Scarlett	
Harman	Sellers	

So the senate concurred in all the amendments made by the house of representatives to said resolution.

Ordered, That the secretary inform the house of representatives thereof.

The resolution of the house of representatives appointing this day for the election of two brigadiers general, being read,

And on motion to concur therein, it was determined in the affirmative.

And the yeas and nays being required are—yeas 37, nays 23.

Those who voted in the affirmative are,

Messrs.

Allen	Footman	Ray
Anderson	Groves	Scarborough
Baker of Liberty	Harmon	Scarlett
Baker of Warren	Horn	Smith
Brown of Camden	Hoxey	Stokes
Brown of Decatur	Janes	Thomas
Brown of Hancock	Jones	Tippins
Brown of Monroe	Knight	Williams
Brockman	Lawson	Wimberly
Cargille	Love	Wynn of Gwinnett
Clayton of Clark	Matthews	Wynn of Hall
Daniel	Powell of McIntosh	
Dyall	Powers	

Those who voted in the negative are,

Messrs.

Alston	Foster	Sellers
Beall	Frazer	Strawn
Blackstone	Harris	Walker
Blair	Hendrick	White
Broadnax	Joice	Wellborn
Burney	Powell of Rabun	Wooten
Clayton of Pulaski	Porter	Young
Coffee	Spann	

Ordered, That the secretary carry the same to the house of representatives forthwith.

Mr. Coffee presented a communication from James Bozeman, esq. Treasurer of this State, accompanied with a statement of the receipts and expenditures at that office, during the political year 1826.

Which was read and referred to the joint committee on finance.

Mr. Clayton, of Clarke, had leave to introduce instantan a bill to separate and divorce Marian Desha and George W. Desha her husband.

Which was read the first time.

Mr. Janes, from the committee appointed, reported a bill for the relief of Wiley Alford, of Taliaferro county.

Which was read the first time.

The senate took up the resolution amendatory to a resolution approved the 17th day of Dec. 1825 appointing commissioners to examine the roads leading from Jenckes bridge, on Ogechee river, to the town of Macon, in Bibb county—appointing Matthew Caswel, of Wilkinson county, one of the commissioners on the said road.

Which was read and agreed to.

Mr. Wynn, of Gwinnett, notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to exempt from sale for debts contracted after a given time, certain articles chiefly necessary for the subsistence of the debtors families, passed the 23d Dec. 1823.

Mr. Blackstone, from the committee appointed, reported a bill to add part of the lately acquired territory to the county of Crawford.

Which was read the first time.

On motion,

The hon. senator from the county of Pike was added to the joint committee on internal improvement.

Mr. Foster, from the committee appointed, reported a bill to alter the mode of filling the vacancies of sheriffs, clerks of the inferior and superior courts, and tax collectors, and provide for filling the vacancies of receiver of tax returns.

Which was read the first time.

Mr Tippins, from the committee appointed, reported a bill to repeal an act entitled an act, passed the 9th Dec. 1824, for laying off the counties of Emanuel and Tatnall into election districts, so far as respects the county of Tatnall.

Which was read the first time.

Mr. Spann notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill amendatory of the 14th section of an act, passed the 9th of June, 1825, to dispose of and distribute the lands acquired by the United States, for the use of Georgia, of the Creek nation of Indians by a treaty made and concluded at the Indian Springs on the 12th of February, 1825, so far as the same requires widows to swear that they are widow at the time of giving in.

On motion of M. Clayton, of Clarke,

Resolved, That the printing committee enquire into the expediency of providing by law for the public printing of the Executive Department and the several offices of State attached thereto, so as to have the same done in the most economical manner, and to designate what shall be considered public printing, and what shall be done at the expense of the several officers.

The bill to pardon Levi White, of Walton county, was read the second time and ordered for a committee of the whole.

A message was received from his excellency the Governor, by his secretary Mr. Pierce, informing the senate that his Excellency had assented to and signed the resolution which originated in senate, appointing this day at the hour of 11 o'clock, A. M. for the election of a solicitor general of the southern circuit, a solicitor general of the northern circuit, and of a judge of the court of Oyer and Terminer, for the city of Savannah.

A message was received from the house of representatives, by their clerk Mr. Dawson, informing the senate that the house of representatives are now ready to receive them in the representative chamber for the purpose of electing by joint ballot two solicitors general, a judge of the court of Oyer and Terminer, for the city of Savannah, and also two brigadiers general.

And he withdrew.

Whereupon, the president and members of senate repaired to the representative chamber—both branches of the general assembly then proceeded by joint ballot to the election of a solicitor general for the southern circuit in the place of Thomas D. Mitchell, Esq. deceased; and on counting out the votes, it appeared that Lott Warren, Esq. was duly elected.

They then proceeded in like manner to the election of a solicitor-general for the northern circuit in the place of John B. Stewart, dec.; and on counting out the votes, it appeared that Nathan C. Sayre, Esq. was duly elected.

They proceeded in like manner to the election of a judge of the court of Oyer and Terminer, for the city of Savannah; and on counting out the votes, it appeared that John C. Nicholl, Esq. was duly elected.

They then proceeded to the election of a brigadier-general for the 1st brigade of the 6th division, in the place of Gen. David Blackshear resigned; and on counting out the votes, it appeared that Thaddeus G. Holt, Esq. was duly elected.

They then proceeded to the election of a brigadier-general for the 1st brigade of the 7th division, in the place of Gen. Benjamin Cleveland resigned; and on counting out the votes, it appeared that Edward F. Atherton, Esq. was duly elected.

The President and members of senate returned to their chamber, and adjourned until Monday morning 10 o'clock.

MONDAY, November 12th, 1826.

The honorable William A. Tennille, senator elect from the county of Washington, produced his credentials, and being sworn by the President of Senate, took his seat.

Mr. Scarlett from the committee appointed, reported a bill to incorporate the Brunswick Canal Company.

Which was read the first time.

Mr. Sellers from the committee appointed, reported a bill to amend the several acts heretofore passed, to regulate the granting attachments and issuing summons of garnishment.

Which was read the first time.

Mr. Daniel laid on the table the following resolution :

Resolved, That his excellency the Governor be, and he is hereby authorised to purchase, for the use of the Legislature, four of Sturges's maps of the State of Georgia, two for each house.

Resolved, That a copy of Strickland's reports upon canals, railways, turnpikes, &c. be purchased for the use of the committee on internal improvement and agriculture.

Mr. Daniel notified the Senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to equalize the salaries of Secretary of State, Treasurer, Comptroller General, and Surveyor General.

Mr. Daniel presented the memorial of the justices of the peace of Chatham county, residing in the city of Savannah.

Which was read and referred to the joint judiciary committee.

On motion,

The honorable senator from the county of Washington, was added to the joint military committee.

Mr. Powell, of McIntosh, notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to change the name of Solomon Jones, a revolutionary patriot, to that of Solomon Howell.

Mr. Wooten had leave to introduce instantler, a bill to establish and regulate district elections in the county of Wilkes, and to punish those who may attempt to defeat the same.

Which was read the first time.

On motion of Mr. Powell, of Rabun,

Resolved, That the Secretary of senate be instructed to hand over to Ralph Cobb, a memorial and documents that are now in his office, in favor of Ralph Cobb, a revolutionary claimant.

Mr. Scarborough presented the petition of a number of the citizens of Dooly county.

Which was read and referred to a committee consisting of Messrs. Scarborough, Clayton, of Pulaski, and Wellborn.

Mr. Brown, of Monroe, from the committee appointed, reported a bill to sell and dispose of fraction No. 241, in the 5th district of Monroe county, which was omitted to be sold at the last sale of the fractions.

Which was read the first time.

Mr. Clayton, of Clarke, from the committee appointed, reported a bill for the relief of David Akridge, of Clarke county.

Which was read the first time.

On motion of Mr. Broadnax,

Resolved, That his excellency the Governor be requested to assign one of the rooms in the arsenal to the trustees of the Franklin college, for the purpose of transacting business during the sitting of the Senatus Academicus, and that the same be fitted up accordingly.

Mr. Dyall notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill, to dispose of and sell the land laying in the twelfth and thirteenth districts in the county of Ware, formerly Appling county.

Mr. Hoxey notified the senate, that after to-day he would move for the appointment of a committee to prepare and report a bill, to authorize Zachariah H. Gordon to establish a ferry across Flint river, at the mouth of Big Potomac creek in Upson county.

Mr. Brockman, agreeably to notice, moved for the appointment of a committee to prepare and report a bill, amendatory and explanatory of the 18th and 19th sections of "an act to alter and amend the several judiciary acts now in force in this state, so far as relates to justices courts," passed December 14th. 1811.

Ordered, That Messrs. Brockman, Matthews, and Wynn, of Gwinnett, be that committee.

Agreeably to notice, Mr. Jones moved for the appointment of a committee to prepare and report a bill to repeal an act passed at the last session of the legislature, entitled an act to create a Board of Public Works, and to provide for the commencement of a system of internal improvement.

Ordered, That Messrs. Jones, Powell, of McIntosh, and Powers, be that committee.

Mr. Knight had leave to introduce instantler, a bill to authorize the justices of the Inferior court of Lowndes county, to lay off said county into militia districts.

Which was read the first time.

Mr. Burney had leave to introduce instantler, a bill to separate and divorce Reley Finley and Mary Finley, his wife.

Which was read the first time.

Agreeably to notice, Mr. White moved for the appointment of a committee to prepare and report a bill to incorporate the Franklin academy in Upson county, and to appoint trustees for the same.

Ordered, That Messrs. White, Broadnax, and Blackstone, be that committee.

On motion of Mr. Coffee,

Resolved, That the printing committee be instructed to have printed, with as little delay as possible, two hundred copies of a bill to be entitled, an act to incorporate the Brunswick Canal Company, for the use of the members of the Legislature.

Mr. Brown, of Camden, from the committee appointed, reported a bill for the relief of Alfred Doolittle of Camden, and Littleberry Johns of Liberty county.

Which was read the first time.

Mr. Scarborough notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to establish a ferry on Flint river, on fraction No. 178, in the first district of the county of Dooley, and

Mr. Scarborough further notified the Senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill, to repeal an act, entitled an act, to lay off the county of Dooley into election districts, passed the 25th November, 1824 and to fix permanent the site of the public buildings, and to name the same.

Mr. Choice from the committee appointed, reported a bill to amend an act, entitled an act, to incorporate the De Kalb county academy, approved 20th day of December, 1825.

Which was read the first time.

A message was received from the house of Representatives by Mr. Dawson, their clerk, informing the senate, that the house of representatives had concurred in the resolution of senate, requesting his excellency the Governor to assign one of the rooms in the arsenal to the trustees of Franklin College, for the purpose of transacting business during the sitting of the Senatus Academicus.

And he withdrew.

The following bills were read the second time and ordered for a third reading.

The bill to amend the several acts incorporating the town of St. Mary's.

The bill to incorporate Constitutional Hall academy in Jasper county.

The bill to repeal an act, entitled an act, passed the 9th December 1824, for laying off the counties of Emanuel and Tatnall into election districts, so far as respects the county of Tatnall.

The bill to incorporate Arthur academy in Oglethorpe county.

The bill to authorise certain commissioners to sell and dispose of

the lumber and site for the new court-house at Wiley Robson's in Wayne county, and

The bill to add a part of Oglethorpe county to the county of Madison.

The following bills were read the second time and ordered for committee of the whole.

The bill amendatory of an act passed the 24th day of December, 1825, entitled an act, amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia of the Creek nation of Indians, by a treaty made and concluded on the 12th day of February, 1825.

The bill to repeal an act to set apart and reserve for the use of the State all valuable ores, mines, and minerals, which have been or may hereafter be discovered upon lands, which now are or may hereafter be the property of the State of Georgia, and to make penal and provide for the punishment of the removing, carrying away, or secreting the same to the loss of the state, passed 24th December, 1825.

The bill to entitle Sarah Sampler, of the county of Fayette, to a participation in the present contemplated land lottery of this State.

The bill to alter and amend the road law of Glynn county, passed the 24th December, 1825.

The bill to repeal an act passed the 20th day of December, 1823, so far as respects the county of Early.

The bill to alter the mode of filling the vacancies of sheriffs, clerks of the Superior and Inferior courts, and tax collectors, and to provide for filling the vacancies of receiver of tax returns.

The bill to alter and change the name of James James to that of Henry James.

The bill to alter the 1st section of the 4th article of the constitution so as not to make the payment of taxes previous to the general election, a qualification necessary to entitle a citizen to vote for members of the general assembly.

The bill for the relief of Alexander Ware.

The bill to separate and divorce Marian Desha and George W. Desha her husband.

The bill for the relief of Wiley Alford of Taliaferro county.

The bill to incorporate the Baptist church on Williams's creek in Warren county.

The bill to legitimize and change the name of James A. Jarrel to that of James A. Sweat.

The bill to add a part of the lately acquired territory to the county of Crawford.

The bill to define the liability of indorsers of promissory notes and other instruments, and place them upon the same footing with securities, and

The bill to authorize certain commissioners therein named, to raise by lottery a fund for the erection of monuments to the memory of Green and Putass, in the city of Savannah.

The bill to repeal an act laying off the state into seven congressional districts, passed the 22d day of December, 1825.

Was ordered to stand for committee of the whole on Thursday next.

The bill to compel the next receiver of tax returns for taxable property for Lowndes county, to receive the tax returns of citizens of said county, whose taxes are due the state prior to the year 1825, and to make it the duty of the next collector to collect said taxes.

Was read the third time and passed.

The senate resolved itself into committee of the whole on the bill to pardon Levi White, of Walton county, Mr. Powell, of McIntosh, in the chair.

The President resumed the chair, and Mr. Powell reported the bill without amendment.

The Senate took up and agreed to the report.

The bill was read the third time.

And on the question "Shall this bill now pass?" It was determined in the affirmative.

The yeas and nays being required, are—yeas 41, nays 16.

Those who voted in the affirmative are,
Messrs.

Allen	Daniel	Love
Anderson	Dyall	Powell of Rabun
Baker of Liberty	Footman	Powers
Baker of Warren	Foster	Ray
Blair	Groves	Scarlett
Brown of Camden	Harman	Thomas
Brown of Decatur	Harris	Tippins
Brown of Monroe	Hendrick	Walker
Brockman	Horn	Wellborn
Burney	Hoxey	Williams
Choice	Janes	Wimberly
Clayton of Clarke	Joice	Wynn of Gwinnett
Clayton of Pulaski	Jones	Wynn of Hall
Coffee	Lawson	

Those in the negative are

Messrs.

Blackstone	Powell of McIntosh	Smith
Broadnax	Porter	Srawn
Cargille	Scarborough	White
Frazer	Spann	Wooten
Knight	Sellers	Young
Matthews		

The following message was received from his excellency the Governor, by Mr. Pierce, his secretary, to-wit.

EXECUTIVE DEPARTMENT, }
Georgia, 13th November, 1826. }

The letter of Joseph V. Bevan, with the documents accompanying it, will disclose the progress which this gentleman, as the appointed Historiographer, has made in the development of the history of Georgia. Our own archives have been explored, what they furnish

examined, and a summary of the result herewith submitted. The office of the board of trade and plantations at London is the depository of valuable materials necessary to the illustration of our early history—the settlement of the country—its political changes to the era of the revolution, and the events of the revolution itself. From the correspondence of the American and English Ministers, it will be seen that the British Government, in a liberal and friendly spirit, has opened to the researches of the Government of Georgia that depository—An opportunity therefore is presented of authorizing an Agency for the transaction and collection of every thing valuable of colonial history there, to supply what is deficient here, and without which the essay to a complete history of Georgia must fail. The knowledge acquired by Mr. Bevan of what we have, and of course what we have not, will perhaps recommend him to you as a proper person to fill that Agency. His honorable character, patriotic zeal, and patient industry, will not make him an exceptionable person before the British Government; and the United States may be kind enough to believe, that he who is trust worthy for you, may possibly be so for them.

Signed,

G. M. TROUP.

Which was read, and with its accompanying documents, referred to the joint committee on the state of the republic.

The Senate adjourned until to morrow morning 10 o'clock.

TUESDAY, November 14th, 1826.

Agreeably to notice, Mr. Powell of McIntosh, moved for the appointment of a committee to prepare and report a bill to change the name of Solomon Jones, a revolutionary patriot, to that of Solomon Howell.

Ordered, That Messrs. Powell of McIntosh, Powell of Rabun, and Porter, be that committee.

On motion,

The honorable senator from the county of Hancock had leave of absence for a few days.

Mr. Groves presented the petition of Elizabeth Higginbottom, of Madison county.

Which was read and referred to a committee, consisting of messrs. Groves, Allen, and Harman.

Mr. Brockman, from the committee appointed, reported a bill amendatory and explanatory of the 18th and 19th sections of an act

to alter and amend the several judiciary acts now in force in this State, so far as relates to justices courts, passed the 14th day of December, 1811.

Which was read the first time.

Mr. Stokes, from the committee appointed, reported a bill to require sheriffs to take bond and security for the delivering of personal property on the day of sale when levied on by them.

Which was read the first time.

Mr. Powell of McIntosh, from the committee appointed, reported a bill to change the name of Solomon Jones to that of Solomon Howell.

Which was read the first time.

Mr. Cargill, from the committee appointed, reported a bill to incorporate Butts county academy, in the town of Jackson, and to authorise the inferior court of said county to select a suitable lot for said institution, and convey fee simple titles to the trustees of the same.

Which was read the first time.

Mr. Sellers had leave to introduce instantler a bill to amend and explain an act entitled an act to incorporate the Henry county academy, and to appoint trustees for the same.

Which was read the first time.

Agreeably to notice, Mr. Wynn of Gwinnett, moved for the appointment of a committee to prepare and report a bill to repeal an act entitled an act to exempt from sale for debts contracted after a given time, certain articles chiefly necessary for the subsistence of the debtors families, passed the 23d Dec. 1822.

Ordered, That messrs. Wynn, of Gwinnett, Williams, and Wimberly, be that committee.

Agreeably to notice, Mr. Alston moved for the appointment of a committee to prepare and report a bill to alter the time of the sitting of the superior court in the middle circuit, so far as respects the county of Montgomery.

Ordered, That messrs. Alston, Anderson, and Baker of Liberty, be that committee.

Agreeably to notice, Mr. Spann moved for the appointment of a committee to prepare and report a bill amendatory of the 14th section of an act, passed the 9th of June, 1825, to dispose of and distribute the lands acquired by the United States, for the use of Georgia, of the Creek nation of Indians by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, so far as the same requires widows to swear that they are a widow at the time of giving in.

Ordered, That messrs. Spann, Scarlet, and Sellers, be that committee.

Agreeably to notice, Mr. Ray moved for the appointment of a committee to prepare and report a bill to make permanent the site of the public buildings in the county of Thomas, and to name the same;

and to authorise the justices of the inferior court to lay off said county into Captain's districts.

Ordered, That messrs Ray, Brown of Decatur, and Powers, be that committee.

Agreeably to notice, Mr. Clayton, of Clarke, moved for the appointment of a committee to prepare and report a bill to alter the 7th section of the 1st article of the constitution, so as to reduce the number of members in the house of representatives.

And also for the appointment of a committee to prepare and report a bill to alter the 3d section of the 1st article of the constitution, so as to reduce the number of senators of the general assembly of this State.

Ordered, That messrs. Clayton, of Clarke, Burney, and Brown of Monroe, be that committee.

Mr. Hendrick notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to repeal the 12th section of an act entitled an act to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, passed the 9th day of June, 1825.

Mr. Coffee presented the petition of William H. Boner and Joseph Watson.

Which was read and referred to a committee consisting of messrs Coffee, Walker, and Daniel.

Mr. Porter, from the committee appointed, reported a bill to add a part of the lately acquired territory, from the Creek nation of Indians, to the county of Baker.

Which was read the first time.

Agreeably to notice, Mr. Daniel moved for the appointment of a committee to prepare and report a bill to equalise the salaries of secretary of state, treasurer, comptroller general, and surveyor-general.

Ordered, That messrs. Daniel, Hoxey, and Blair, be that committee.

Mr. Baker of Warren, had leave to introduce instantler a bill to divorce and separate John Ray and Mary Ray his wife.

Which was read the first time.

On motion of Mr. Hendrick,

The Senate took up the resolution referring the penitentiary system to the people.

Which being read, the following substitute was offered by Mr. Powers:

Resolved. That the joint judiciary committee be, and they are hereby, instructed to prepare and report a bill to repeal such part of the penal code of this State, as authorises penitentiary confinement, in such manner as they may think best for the purpose of abolishing said system.

Which together with the original resolution was ordered to lie on the table.

The following message was received from the house of representatives, by Mr. Dawson, their clerk, to wit:

Mr. President:

The house of representatives have passed the following bills, to wit:

A bill to be entitled an act to continue in force an act entitled an act to revise and amend the several land acts now in force in this State, in relation to vacant lands and land surveyed on head rights and bounty warrants, passed the 17th day of Dec. 1825.

A bill to change the names of certain persons therein mentioned, and legitimate the same.

A bill to amend an act entitled an act to incorporate the Bank of Darien, passed the 15th day of Dec. in the year 1818.

A bill to authorise certain commissioners therein named, to establish a lottery for the purpose of raising the sum of twenty-five hundred dollars, for the purpose of aiding and assisting the funds of the Eatonton Academy, in the county of Putnam.

A bill to authorise Jonathan Phillips, of Pike county, to establish a ferry across Flint river.

And a bill to change the time of holding the inferior courts in the county of Telfair.

To which they desire concurrence. And he withdrew.

The following bills were severally read the second time and ordered for a third reading, to wit:

A bill to establish and regulate district elections, in the county of Wilkes, and to punish those who may attempt to defeat the same.

A bill to amend an act entitled an act to incorporate the De Kalb county academy, approved the 20th Dec. 1825.

A bill to authorise the justices of the inferior court of Lowndes county to lay off said county into militia districts.

And a bill to sell and dispose of fraction No. 241, in the 5th district of Monroe county, which was omitted to be sold at the last sales of fractions.

The following bills were read the second time and ordered for committee of the whole, to wit—

A bill to separate and divorce Riley Finley and Mary Finley his wife.

A bill for the relief of Alfred Doolittle, of Camden county, and Littleberry Johns, of Liberty county.

A bill to be entitled an act for the relief of David Akridge, of Clark county.

And a bill to amend the several laws heretofore passed to regulate, the granting attachments and issuing summons of garnishment.

The following bills were severally read the third time, and passed under their respective titles, to wit—

A bill to be entitled an act to incorporate Constitutional Hall Academy, in Jasper county.

A bill to amend the several acts incorporating the town of St. Marys.

A bill to incorporate Arthur Academy, in Oglethorpe county.

A bill to authorise certain commissioners to sell and dispose of the lumber and site for the new court-house, at Wiley Robson's in Wayne county.

A bill to add a part of Oglethorpe to the county of Madison.

And a bill to repeal an act entitled an act for laying off the counties of Emanuel and Tatnall into election districts, passed 9th Dec 1824, so far as respects the county of Tatnall.

The senate resolved itself into a committee of the whole on the bill to regulate the intercourse between the banks of this State, and other institutions and brokers, Mr. Walker in the chair.

The president resumed the chair, and Mr. Walker reported the bill without amendment.

The senate took up and agreed to the report, and ordered the bill to lay on the table.

The senate resolved itself into a committee of the whole on the bill to divorce and separate Elizabeth Palmer and her husband Elish Palmer, Mr. Tennille in the chair.

The president resumed the chair, and Mr. Tennille reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required are—yeas 37, nays 16.

Those in the affirmative are,
Messrs.

Allen
Baker of Liberty
Baker of Warren
Broadnax
Brown of Camden
Brown of Monroe
Burney
Cargille
Choiue
Clayton of Clark
Coffee
Dyall
Footman

Groves
Hendrick
Hoxey
Jones
Jones
Love
Matthews
Powell of McIntosh
Powell of Rabun
Porter
Powers
Ray
Spann

Scarlet
Smith
Strawn
Tennille
Thomas
Tippins
Walker
Wellborn
Wimberly
Wooten
Young

Those in the negative are,
Messrs.

Blackstone	Foster	Scarborough
Blair	Harris	Sellers
Brown of Decatur	Horn	Wynn of Gwinnett
Brockman	Joice	Wynn of Hall
Clayton of Pulaski	Knight	
Daniel	Lawson	

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, November 15th, 1826.

Mr. Baker, of Liberty, notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to repeal an act, entitled an act, to exempt from road duty on certain conditions, all male slaves on the island of St. Catherine, passed the 21st December, 1821.

On motion of Mr. Baker, of Liberty,

Resolved, That his excellency the Governor be requested to purchase four copies of the Georgia Justice, and have them transmitted to the justices of the Inferior court of Liberty county, for the use of said county, and that the same be paid for out of the contingent fund,

Mr. Groves, from the committee appointed, reported a bill for the relief of Sally, Woodson, Matthew, and Polly Ann Higginbotham, children of Benjamin Higginbotham and Elizabeth Higginbotham.

Which was read the first time.

Mr. Scarborough from the committee appointed, reported a bill to lay off and add a part of the county of Dooly to the county of Pulaski.

Which was read the first time.

Mr. Blair from the committee appointed, reported a bill to pardon Hugh Gallagher.

Which was read the first time.

The senate took up the resolution appointing commissioners and trustees of Appling county academy, and authorizing said commissioners to demand and receive from their predecessors in office, such sum or sums of money as have been drawn from the treasury for the use of the Appling county academy, &c. which being read,

Mr. Daniel offered by way of substitute, a bill to appoint trustees of the poor school fund in Appling county, and to vest the fund of the Appling county academy in the same.

Which was received and read the first time.

Agreeably to notice, Mr. Dvall moved for the appointment of a committee to prepare and report a bill, to dispose of and sell the land lying in the 12th and 13th districts in the county of Ware formerly Appling county.

Ordered, That messrs. Dyall, Baker, of Warren, Clayton, of Clarke, Scarlett, Powell, of McIntosh, be that committee.

Mr. Daniel, from the committee appointed, reported a bill to change and define the compensation of Secretary of State, Treasurer, Surveyor General, and Comptroller General, and to give to each officer a permanent salary.

Which was received and read the first time.

The President laid before senate a communication from William Triplett, Esq. comptroller general of this State, relative to certain proceedings against the attorney-general of the State.

Which was read, and together with the accompanying documents referred to the judiciary committee.

Mr. Sellers from the committee appointed, reported a bill for the relief of John C. Gallman a revolutionary soldier.

Which was read the first time.

Mr. Allen from the committee appointed, reported a bill to authorize his excellency the Governor, to cause a grant to be issued to James Dudley for fraction No. 34, in the 9th district in Henry county.

Which was read the first time.

Mr. Allen presented the petition of a number of citizens of the county of Elbert, which was read and referred to the joint judiciary committee.

Agreeably to notice, Mr. Scarborough moved for the appointment of a committee to prepare and report a bill to repeal an act laying off the county of Dooly into election districts, passed the 25th November, 1824 and to fix permanent the site of the public buildings and to name the same.

Ordered, That Messrs Scarborough, Footman, and Choice, be that committee.

Agreeably to notice, Mr. Scarborough moved for the appointment of a committee to prepare and report a bill, to establish a ferry on Flint river on fraction 178, in the first district of the county of Dooly.

Ordered, That Messrs. Scarborough, Brown, of Camden, and Cargille, be that committee.

Mr. Clayton, of Clarke, presented the petition of General John Stewart, of Oglethorpe county, which was read, and with its accompanying documents, referred to the joint judiciary committee.

Mr. Harmon laid on the table the following resolution:

Whereas, The legislature at their last session, did pass a joint resolution authorizing the Governor to deliver to William Bowen, the Africans now in custody of the State, and also a balance of money

proceeds of Africans heretofore sold; and it appearing that one of the conditions on which such delivery was founded, is impossible to be complied with; for remedy whereof.

Be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That immediately after the passing of this resolution, it may and shall be the duty of his excellency the Governor, to deliver, or cause to be delivered to William Bowen, all the African negroes now in the custody or control of the State, and also to pay, or cause to be paid to the said William Bowen, whatever sum of money remains unexpended of the proceeds of Africans heretofore sold by said State, on the condition that the said William Bowen do execute, to the Governor, a full release of all claims on the State for her interference or detention of said slaves and proceeds.

Mr. Powell, of Rabun, from the committee appointed, reported a bill to add that part of the funds heretofore set apart for the support of county academies to the poor school fund, so far as respects the county of Rabun.

Which was read the first time.

Mr. Clayton, of Clarke, from the committee appointed, reported a bill to alter the 7th section of the 1st article of the constitution, so as to reduce the number of members of the house of representatives.

Which was read the first time.

Mr. Alston, from the committee appointed, reported a bill to alter the time of holding the superior courts in the Middle circuit, so far as respects the county of Montgomery.

Which was read the first time.

Mr. Jones presented a petition from a large number of citizens of Newton county, praying the privilege of raising a sum of money by lottery, for the purpose of erecting bridges over water courses in said county.

Which was read and referred to a select committee, consisting of Messrs. Jones, Horn, and Wynn, of Hall.

On motion of Mr. Powers,

Whereas, It is known to the legislature, that a large sum in bank bills is now in the State Treasury, which is liable to destruction by fire or other accidents,

Be it therefore resolved, That the committee on finance be requested to propose such means as they may think best, for the purpose of securing the money in the State Treasury from being lost to the State by accident or otherwise, either by making special deposits in some of the banks of said state, or by causing lists of the numbers, letters, and dates of the different bank bills to be made out and deposited in different situations, where some of them may be preserved from accident, or in any other way that they may think best.

Mr. Baker, of Warren, notified the senate, that after to-day, he would move for the appointment of a committee to prepare and re-

port a bill to legitamatize the marriage contract of Buckner Bass and Miss Ann Dozier, and also to legitamatize Jane Elizabeth the daughter.

Mr. White, from the committee appointed, reported a bill to incorporate Franklin academy in Upson county, and to appoint trustees for the same.

Which was read the first time.

Mr. Jones, from the committee appointed, reported a bill to alter and amend the 2d section of the 4th article of the constitution.

Which was read the first time.

Mr. Tippins, from the committee appointed, reported a bill for the relief of Joseph Durrence of Tatnall county.

Which was read the first time.

Mr. Harman had leave to introduce instantler, a bill to amend the third section of an act to amend the judiciary of this State, so far as respects justices of the peace; assented to the 9th December, 1825.

Which was read the first time.

Mr. Porter notified the Senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill, to add the academy fund to which the county of Baker is entitled; to the poor school fund of said county.

Agreeably to notice, Mr. Hendrick moved for the appointment of a committee to prepare and report a bill, to repeal the 12th section of an act, entitled an act, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, passed the 9th day of June, 1825.

Ordered, That messrs. Hendrick, Foster, and Wooten, be the committee.

The Senate took up the message of yesterday from the house of representatives, and the bills therein contained were severally read the first time.

Mr. Jones, from the committee appointed, reported a bill to repeal an act passed the 21st December, 1825, entitled an act to create a Board of Public Works, and provide for the commencement of a system of internal improvement.

Which was read the first time.

Mr. Blair presented the petition of Daniel Ledbetter.

Which was read and referred to a committee, consisting of messrs. Blair, Coffee, Daniel, and Walker.

The following bills were severally read the second time, and ordered for a third reading, to-wit:

A bill to alter the name of Solomon Jones to that of Solomon Howe.

A bill to incorporate Butts county academy in the town of Jackson, and to authorize the Inferior court of said county to select a suitable lot for said institution, and convey fee simple titles to the trustees of the same; and

A bill to amend and explain an act, entitled an act, to incorporate the Henry county academy, and appoint trustees for the same.

The following bills were severally read the second time, and ordered for committee of the whole, to-wit:

A bill to divorce and separate John Ray and Mary Ray his wife.

A bill requiring sheriff to take bond and security for the delivery of personal property on the day of sale, when levied on by them.

A bill to add part of the lately acquired territory from the Creek nation of Indians, to the county of Baker, and

A bill amendatory and explanatory of the 18th and 19th sections of an act to alter and amend the several judiciary acts now in force in this State, so far as relates to justices courts, passed Dec. 14th, 1811.

The following bills were severally read the third time and passed, under their respective titles, to wit:

A bill to amend an act, entitled an act, to incorporate the De Kalb county academy.

A bill to sell and dispose of fraction No. 241 in the 5th district of Monroe county, which was omitted to be sold at the last sales of fractions.

A bill to authorize the justices of the Inferior court of Lowndes county, to lay off said county into militia districts; and

A bill to establish and regulate district elections in the county of Wilkes, and to punish those who may attempt to defeat the same.

The senate resolved itself into committee of the whole on the bill to add the reserve at the old agency on the east side of Flint river, to the county of Crawford, Mr. Coffee in the chair.

The President resumed the chair, and Mr. Coffee reported the bill without amendment.

The senate took up and agreed to the report.

And the bill was read the third time and passed.

The senate resolved itself into committee of the whole, on the bill to repeal an act passed the 20th December, 1823, establishing district elections in the counties of Telfair, Early, and Appling, so far as respects the county of Early, Mr. Jones in the chair.

The President resumed the chair, and Mr. Jones reported the bill with an amendment.

The senate took up and agreed to the report.

And the caption of the bill being amended, the same was read the third time and passed, under the title of

A bill to repeal an act, passed the 20th of Dec. 1823, establishing district elections in the counties of Telfair, Early, and Appling, so far as respects the county of Early.

And to repeal an act establishing an election district in the county of Decatur.

The senate resolved itself into a committee of the whole, on the bill to alter and amend the road law of Glynn county, passed Dec. the 24th 1825, Mr. Brockman in the chair.

The President resumed the chair, and Mr. Brockman reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole upon the bill to repeal an act, entitled an act to set apart and reserve for the use of the State all valuable ores, mines, and minerals, which have been, or may hereafter be discovered upon lands which now are, or may hereafter be the property of the State of Georgia, and to make penal and provide for the punishment of the removing, carrying away, or secreting the same to the loss of the State, passed the 20th December, 1825, Mr. Sellers in the chair.

The President resumed the chair, and Mr. Sellers reported progress and had leave to sit again.

The senate resolved into a committee of the whole on the bill amendatory of an act passed the 24th of December, 1825, entitled an act, amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded on the 12th day of February, 1825, Mr. Wimberly in the chair.

The president resumed the chair, and Mr. Wimberly reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole, on the bill to define the liability of indorsers of promissory notes and other instruments, and to place them upon the same footing with securities, Mr. Powers in the chair.

The President resumed the chair, and Mr. Powers reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole on the bill to legitimatize and change the name of James Jarrell to that of James Sweat, Mr. Baker, of Warren, in the chair.

The president resumed the chair, and Mr. Baker reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to alter and change the name of James James to that of Henry James, Mr. Hendrick in the chair.

The President resumed the chair, and Mr. Hendrick reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time, and the caption being amended, it passed under the title of

A bill to change the name of James James to that of Henry James Addison Kendrick of Columbia county to that of Addison Hassel and Bradford Carter to that of Bradford Johnson.

The senate resolved itself into a committee of the whole on the bill for the relief of Alexander Ware, Mr. Wellborn in the chair.

The President resumed the chair, and Mr. Wellborn reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into committee of the whole, on the bill to alter the mode of filling the vacancies of sheriffs, clerks of the Superior and Inferior courts, and tax collectors, and provide for filling the vacancies of receiver of tax returns, Mr. Clayton of Clarke, in the chair.

The President resumed the chair, and Mr. Clayton reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to separate and divorce Marian Desha and George W. Desha her husband, Mr. Foster in the chair.

The President resumed the chair, and Mr. Foster reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "Shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required, are yeas 44, nays 11.

Those who voted in the affirmative are,

Messrs.

Allen	Groves	Ray
Baker of Liberty	Harman	Spann
Baker of Warren	Harris	Scarlett
Broadnax	Hendrick	Sellers
Brown of Camden	Hoxey	Smith
Brown of Monroe	Jones	Stokes
Burney	Knight	Tennille
Cargille	Lawson	Tippins
Choice	Love	Walker
Clayton of Clarke	Matthews	White
Clayton of Pulaski	Powell of McIntosh	Wellborn
Coffee	Powell of Rabun	Wimberly
Dyall	Porter	Wooten
Footman	Powers	Young
Frazer		

Those in the negative are,

Messrs.

Anderson	Brockman	Joice
Blackstone	Daniel	Strawn
Blair	Foster	Wynn of Gwinneet
Brown of Decatur	Horn	Wynn of Hall

The senate adjourned until to morrow morning 10 o'clock.

THURSDAY, November 16, 1826.

Mr. Baker of Liberty, agreeably to notice, moved for the appointment of a committee to prepare and report a bill to repeal an act entitled an act to exempt from road duty, on certain conditions, all male slaves on the Island of St. Catherine, passed the 21st Dec. 1821.

Ordered, That messrs. Baker of Liberty, Beall, and Love, be that committee.

On motion of Mr. Groves,

Resolved, That the military committee be instructed to enquire into the expediency of altering the 15th section of an act passed 19th of Dec. 1815, entitled an act to revise and consolidate the militia laws of this State, and to repeal the cavalry laws now in force, so as to compel officers commanding companies to hold their musters as near the centre of the district as practicable.

On motion, the honorable senator from the county of Morgan had leave of absence for a few days.

Mr. White notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to keep open Flint river at certain seasons of the year.

Mr. Jones had leave to introduce instant a bill to incorporate the town of Crawfordville, in Faliaferro county.

Which was read the first time.

Mr. Jones also obtained leave to introduce instant a bill to incorporate Crawfordville Academy, and appoint trustees for the same.

Which was read the first time.

On motion, the honorable senator from the county of Jasper had leave of absence until Monday next.

Mr. Hendrick had leave to introduce instant a bill for the relief of revolutionary soldiers and others, holding bounty warrants.

Which was read the first time.

Mr. Clayton of Clarke, from the committee appointed, reported a bill to sell and dispose of the land lying in the 12th and 13th districts of Ware, formerly Appling county.

Which was read the first time.

Mr. Baker of Liberty, from the committee appointed, reported a bill to repeal an act entitled an act to exempt from road duty, on certain conditions, all male slaves in the Island of St. Catherine.

Which was read the first time.

Mr. Hendrick, from the committee appointed, reported a bill to repeal the 12th section of an act entitled an act to dispose of and dis-

tribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs, on the 12th day of February, 1825, passed the 9th day of June, 1825.

Which was read the first time.

Mr. Cargille had leave to introduce instantler a bill to make permanent the site of Jackson, in the county of Butts, and to incorporate the same.

Which was read the first time.

Mr. Scarborough, from the committee appointed, reported a bill to repeal an act entitled an act to establish election districts in the county of Dooly, passed the 25th Nov, 1824—Also to make permanent the site of the public buildings in said county, and to name the same.

Which was read the first time.

Mr. Daniel, from the committee appointed, and to whom was referred the petition of John Screven, Esq. praying the payment of certain bills of credit issued in 1786, by authority of this State, for the redemption of which in gold and silver, "the guarantee of the honor and faith of Georgia was given—Reported,

That the demand of John Screven is just and ought to be paid; and recommend the adoption of the following resolution:

Resolved, That the sum of ——— dollars be appropriated for the redemption of certain bills of credit, issued by authority of this State in 1786, now owned by John Screven, Esq.

Which was read and ordered to lie on the table.

The senate resolved itself into a committee of the whole on the bill to repeal an act, to lay off the state into seven congressional districts, passed the 22d December, 1825, Mr Knight in the chair.

The president resumed the chair, and Mr. Knight reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required are—yeas 33, nays 28.

Those who voted in the affirmative are,

Messrs.

Allen	Footman	Scarborough
Baker of Liberty	Harman	Scarlet
Baker of Warren	Horn	Smith
Beall	Hoxey	Stokes
Brown of Decatur	Janes	Thomas
Brown of Monroe	Jones	Tippins
Brockman	Knight	Williams
Clotice	Lawson	Wimberly
Clayton of Clark	Love	Wynn of Gwinnett
Daniel	Powers	Wynn of Hall
Dyall	Ray	Young

Those who voted in the negative are,

Messrs.		
Alston	Foster	Spann
Anderson	Frazer	Sellers
Blackstone	Groves	Strawn
Blair	Harris	Tennille
Broadnax	Hendrick	Walker
Brown of Camden	Joice	White
Burney	Matthews	Wellborn
Cargille	Powell of McIntosh	Wooten
Clayton of Pulaski	Powell of Rabun	
Coffee	Porter	

The following bills were read the second time and ordered for a third reading—

A bill for the relief of Sally Woodson, Matthew and Polly Ann Higginbotham, children of Benjamin Higginbotham and Elizabeth Higginbotham.

A bill to appoint trustees of the poor school fund in Appling county and vest the fund of the Appling county academy in the same.

A bill to authorise his excellency the Governor to cause a grant to be issued to James Dudley for fraction No. 34, in the 9th district in Henry country.

A bill to add that part of the funds heretofore set apart for the support of county academies to the poor school fund, so far as respects the county of Rabun.

A bill to alter the time of holding the superior courts in the Middle circuit, so far as respects the county of Montgomery.

A bill to incorporate Franklin academy in Upson county, and appoint trustees for the same.

A bill for the relief of Joseph Durrence, of Tatnall county.

A bill to continue in force an act to revise and amend the several land acts now in force in this State, in relation to vacant lands and lands surveyed on head rights and bounty warrants.

A bill to change the names of certain persons therein mentioned, and to legitimate the same.

A bill to amend an act entitled an act to incorporate the Bank of Darien, passed the 15th day of Dec. in the year 1818.

A bill to authorise certain commissioners therein named to establish a lottery for the purpose of raising the sum of \$2500, for the purpose of aiding and assisting the funds of the Eatonton Academy, in the county of Putnam.

A bill authorising Jonathan Phillips, of Pike county, to establish a ferry across Flint river.

And a bill to change the time of holding the inferior courts in the county of Telfair.

The following bills were read the second time and ordered for committee of the whole.

A bill to incorporate the Brunswick Canal Company.

A bill to lay off and add a part of the county of Dooly to the county of Pulaski.

A bill to pardon Hugh Gallaher.

A bill to change and define the compensation of secretary of state, treasurer, surveyor-general, and comptroller general, and to give to each officer a permanent salary.

A bill for the relief of John C. Gallman, a revolutionary soldier.

A bill to alter the 7th section of the 1st article of the constitution, so as to reduce the number of members of the house of representatives.

A bill to alter and amend the 2d section of the 4th article of the constitution.

A bill to amend the 3d section of an act to amend the judiciary of this State, so far as respects justices of the peace, assented to the 9th December, 1819.

And the bill to repeal an act passed the 21st Dec. 1825, entitled an act to create a Board of Public Works, and provide for the commencement of a system of internal improvement.

The following bills were read the third time and passed.

A bill to alter the name of Solomon Jones to that of Solomon Howell.

A bill to incorporate Butts county academy, in the town of Jackson; and to authorise the inferior court of said county to select a suitable lot for said institution, and convey fee simple titles to the trustees of the same.

And a bill to amend and explain an act entitled an act to incorporate the Henry county academy, and to appoint trustees for the same.

The senate resolved itself into a committee of the whole on the bill to separate and divorce John Ray and Mary Ray his wife, Mr. Broadnax in the chair.

The president resumed the chair, and Mr. Broadnax reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required are—yeas 43, nays 12.

Those who voted in the affirmative are,
Messrs.

Allen	Footman	Spann
Baker, of Liberty	Frazer	Scarlet
Baker, of Warren	Harman	Smith
Beall	Hendrick	Stokes
Broadnax	Hoxey	Strawn
Brown of Camden	Lawson	Tennille
Brown of Decatur	Love	Thomas
Brown of Monroe	Matthews	Walker
Burney	Powell of McIntosh	White
Cargille	Powell of Rabun	Wellborn
Choice	Porter	Williams

Clayton of Clark	Powers	Wimberly
Clayton of Pulaski	Ray	Wooten
Coffee	Scarborough	Young
Dyall		

Those in the negative are,

Messrs.		
Blackstone	Groves	Knight
Blair	Harris	Sellers
Brockman	Janes	Wynn of Gwinnett
Daniel	Joice	Wynn of Hall
Foster		

The senate resolved itself into committee of the whole on the bill to add a part of the lately acquired territory, from the Creek nation of Indians, to the county of Baker, Mr. Blair in the chair.

The president resumed the chair, and Mr. Blair reported progress and had leave to sit again.

The senate resolved itself into committee of the whole on the bill requiring sheriffs to take bonds for the delivery of personal property on the day of sale, Mr. Blackstone in the chair.

The president resumed the chair, and Mr. Blackstone reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole on the bill amendatory and explanatory of the 18th and 19th sections of an act to alter and amend the several judiciary acts now in force in this State, so far as relates to justices courts, passed Dec. 14th, 1811, Mr. Wooten in the chair.

The president resumed the chair, and Mr. Wooten reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into committee of the whole on the bill to make the estate of all attorneys at law, liable to pay before any other debt, all sums of money placed in their hands for collection, Mr. Spann in the chair.

The president resumed the chair, and Mr. Spann reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole on the bill to incorporate the Baptist church, on Williams' creek, in Warren county, Mr. Allen in the chair.

The president resumed the chair, and Mr. Allen reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate again resolved itself into a committee of the whole on the bill to add a part of the lately acquired territory to the county of Crawford, Mr. Baker of Liberty, in the chair.

The president resumed the chair, and Mr. Baker reported the bill without amendment.

Ordered, That the report lie on the table

A message was received from the house of representatives, by Mr. Dawson, their clerk, informing the senate that the house of representatives had passed a bill allowing certain persons therein named to plead and practice law on certain condition.

And he withdrew.

Mr. Daniel presented the memorial of in association bearing the name of the Savannah, Ogeechee and Altamaha Canal Company—which was read,

Whereupon, Mr. Daniel had leave to introduce instanter a bill to incorporate the "Savannah, Ogeechee and Altamaha Canal Company." Which was read the first time.

On motion, the honorable senator from the county of Elbert was added to the joint military committee.

On motion of Mr. Blair,

Resolved, That James R. Wyly, and Thomas J. Ruslbe, and they are hereby, appointed trustees of the Clarkesville Academy, in the county of Habersham, in addition to those already appointed.

On motion of Mr. Coffee,

Resolved, That the committee on printing be instructed to have printed, with as little delay as possible, two hundred copies of a bill to incorporate the "Savannah, Ogeechee and Altamaha Canal Company," for the use of the Legislature.

Mr. Powers laid on the table the following resolution:

Resolved, That when a member of the senate shall announce to the chair that he wishes to present a petition, memorial, or any other matter for consideration, or when the chairman of any of the committees announce to the chair that they are ready to report the same shall be received without any question being put by the chair, unless some member should object, in which case the question shall be put by the chair and decided by the senate.

Mr. Brown of Camden, notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to separate and divorce Zebulon Rudolph and Eliza his wife.

The senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, November 17th, 1825.

On motion, the honorable senator from the county of Twiggs had leave of absence till Monday next.

Mr. Wilker presented the memorial of the Directors of the Bank of August.

Which was read and referred to a committee, consisting of messrs. Walker, Lawson, and Hoxey.

Mr. Bradnax had leave to introduce instantler a bill to repeal the 9th section of the 9th division of the penal code of this State.

Which was read the first time.

Agreeably to notice, Mr. Baker of Warren, moved for the appointment of a committee to prepare and report a bill to legitimize the marriage contract of Buckner Bass and Miss Ann Dozier; and also to legitimize Jane Elizabeth their daughter.

Ordered That messrs. Baker, Frazer, and Harriss, be that committee.

Mr. Baker of Warren, had leave to introduce instantler a bill to incorporate the Roman Catholic church of the purification, at Locust Grove, in Warren county.

And also a bill to incorporate Locust Grove Academy, in the county of Warren, and to appoint trustees for the same.

Which were read the first time.

Mr. Daniel called up the resolution relative to the purchase of maps, and Strickland's Reports on Canals, Railways, &c.

Which was read and disagreed to.

Mr. Anderson, from the committee appointed, reported a bill to give further time to purchasers of fractions, lots or islands, and to those who may have forfeited their lands in the late sales.

Which was read the first time.

Agreeably to notice, Mr. White moved for the appointment of a committee to prepare and report a bill to keep open Flint river at certain seasons of the year.

Ordered, That messrs. White, Young, and Tennille, be that committee.

Agreeably to notice, Mr. Brown of Camden, moved for the appointment of a committee to prepare and report a bill to separate and divorce Zebulon Rundolph and Eliza his wife.

Ordered, That Messrs. Brown, Smith, and Strawn, be that committee.

Mr. Baker, of Liberty, notified the senate, that after to day, he would move for the appointment of a committee to prepare and re-

port a bill to exempt physicians from military duty on certain conditions.

Mr. Jones, from the committee appointed, reported a bill to authorize a lottery for the erection of three bridges in Newton county.

Which was read the first time.

Mr. Spann had leave to introduce instanter a bill to make permanent the site of the public buildings in the county of Early, and to name the same.

Which was read the first time.

Mr. Choice, from the committee appointed, reported a bill to rent certain reserves and improvements which may be on a survey found to be fractions within the late acquired territory.

Which was read the first time.

On motion, the honorable senator from the county of Putnam, had leave of absence until Monday next.

On motion of Mr. Coffee,

The senate took up the report of the committee of the whole on the bill to be entitled an act to add a part of the lately acquired territory to the county of Crawford.

Which was read amended and agreed to.

And on the question "shall this bill now pass?" it was determined in the negative.

And the yeas and nays being required, are yeas 26, nays 31.

Those in the affirmative are,

Messrs.

Anderson	Coffee	Sellers
Beall	Foster	Tennille
Blackstone	Frazer	Walker
Broadnax	Harman	White
Brown of Camden	Harris	Wellborn
Cargille	Hendrick	Wooten
Choice	Powell of McIntosh	Wynn of Hall
Clayton of Clark	Porter	Young
Clayton of Pulaski	Scarlet	

Those in the negative are,

Messrs.

Allen	Groves	Powers
Alston	Horn	Ray
Baker of Liberty	Hoxey	Scarborough
Baker of Warren	Janes	Spann
Blair	Joice	Smith
Brown of Decatur	Jones	Thomas
Brown of Monroe	Knight	Tippins
Brackman	Lawson	Williams
Daniel	Love	Wynn of Gwinnett
Dixall	Matthews	
Footman	Powell of Rabun	

The message of the house of representatives of yesterday was taken up, and the bill therein contained read the first time.

The following bills were severally read the second time and ordered to a third reading.

A bill to repeal an act entitled an act to exempt from road duty, on certain conditions, all male slaves on the Island of St. Catherine.

And a bill to make permanent the site of Jackson, in the county of Butts, and to incorporate the same.

The following bills were read the second time and ordered for a committee of the whole.

A bill to incorporate Crawfordville Academy, and appoint trustees for the same.

A bill to incorporate the town of Crawfordville, in Taliaferro county.

A bill for the relief of revolutionary soldiers and others, holding bounty warrants.

A bill to sell and dispose of the land lying in the 12th and 13th districts of Ware, formerly Appling county.

A bill to repeal the 12th section of an act entitled an act to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs, on the 12th day of February, 1825, passed the 9th day of June, 1825.

And a bill to repeal an act to establish election districts in the county of Dooly, passed the 25th Nov 1824—Also to make permanent the site of the public buildings in said county, and to name the same.

The following bills of senate were read the third time and passed.

The bill for the relief of Sally Woodson, Matthew and Polly Ann Higginbotham, children of Benjamin Higginbotham and Elizabeth Higginbotham.

The bill to add that part of the funds heretofore set apart for the support of county academies to the poor school fund, so far as respects the county of Rabun.

The bill to alter the time of holding the superior courts in the middle circuit, so far as respects the county of Montgomery.

The bill to incorporate Franklin Academy, in Upson county, and to appoint trustees for the same.

The bill for the relief of Joseph Durrence, of Tatnall county.

The bill to authorise his Excellency the Governor to cause a grant to be issued to James Dudley for fraction No. 34, in the 9th district in Henry county, was passed unanimously.

And the bill to appoint trustees of the poor school fund in Appling county, and vest in the Appling county academy the same, was read, amended by unanimous consent, and passed under the title of

A bill to appoint trustees of the poor school fund in Appling county, and vest the fund of the Appling county academy in the same, and to repeal the third section of an act, passed 24th of Dec. 1825,

entitled an act to add that part of the proceeds heretofore set apart for the support of county academies to the free school fund, so far as respects the counties of Chatham, Irwin, Telfair, and Ware.

The following bills of the house of representatives were read the third time and passed :

The bill to change the name of certain persons therein mentioned and legitimate the same.

The bill to amend an act entitled an act to incorporate the Bank of Darien, passed the 15th day of Dec. in the year 1818.

The bill authorising Jonathan Phillips, of Pike county, to establish a ferry across Flint river.

And the bill to change the time of holding the inferior courts in the county of Telfair.

The senate resolved itself into a committee of the whole on the bill to render the estates of attorneys at law, liable to pay before any other debt, all sums of money placed in their hands for collection, Mr. Lawson in the chair.

The president resumed the chair, and Mr. Lawson reported the bill with amendment.

The senate took up amended and agreed to the report.

The bill was read the third time.

And on the question "shall this bill pass?" it was decided in the negative.

The senate resolved itself into a committee of the whole on the bill amendatory of an act, passed the 24th day of Dec. 1825, entitled an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded on the 12th day of February, 1825, Mr. Beall in the chair.

The president resumed the chair, and Mr. Beall reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole on the bill to define the liability of indorsers of promissory notes and other instruments, and place them upon the same footing with securities, Mr. Brown of Camden, in the chair.

The president resumed the chair, and Mr. Brown reported the bill without amendment.

The report was ordered to lie on the table.

The senate resolved itself into a committee of the whole on the bill to pardon Hugh G. Gallagher, Mr. Walker in the chair.

The president resumed the chair, and Mr. Walker reported the bill without amendment.

The report was ordered to lie on the table.

On motion of Mr. Sellers,

Resolved, That the joint committee on public education and free schools, be instructed to enquire into the propriety of amending the

acts regulating the poor school funds, so as to make it the duty of the trustees of the poor school fund to exhibit annually to the inferior court an account of their actual expenditures, and the remainder on hand; and further, as to the propriety of allowing to the commissioners of the poor school fund, and adequate compensation for their services.

Mr. Clayton of Clark, agreeably to a notice of Mr. Burney, moved for the appointment of a committee to prepare and report a bill to separate and divorce Joseph Duke and Jane Duke his wife.

Ordered, That messrs. Clayton of Clark, Tippins, and Thomas, be that committee.

The senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, November 18th, 1836.

On motion of Mr. Blackstone,

The senate reconsidered so much of the journal of yesterday, as relates to the rejection of the bill to add a part of the lately acquired territory to the county of Crawford.

Ordered, That said bill lay on the table for the present.

On motion of Mr. Baker, of Warren.

The reports of the senators of the different counties of this State to the Senatus Academicus, relative to the prosperity and condition of academical institutions, were referred to the joint committee on public education and free schools.

On motion,

The honorable senator from the county of Washington had leave of absence for a few days.

On motion of Mr. Blair.

The senate took up and agreed to the report of the committee of the whole, on the bill to pardon Hugh Gallaher.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required are, yeas 31, nays 23.

Those who voted in the affirmative are,

Messrs.

Baker of Liberty
Blair
Broadnax

Footman
Foster
Hendrick

Porter
Powers
Spann

Brown of Camden	Horn	Scarlett
Brown of Decatur	Janes	Sellers
Brockman	Joice	Smith
Choice	Jones	Tennille
Clayton of Clarke	Lawson	Walker
Clayton of Pulaski	Love	White
Coffee	Powell of Rabun	Wellborn
Daniel		

Those in the negative are
Messrs.

Allen	Dyall	Ray
Alston	Frazer	Scarborough
Anderson	Groves	Tippins
Baker of Warren	Harman	Wooten
Ball	Harris	Wynn of Gwinnett
Blackstone	Knight	Wynn of Hall
Brown of Monroe	Matthews	Young
Cargille	Powell of McIntosh	

Agreeably to notice, Mr. Baker of Liberty, moved for the appointment of a committee to prepare and report a bill to exempt physicians from military duty on certain conditions.

Ordered, That Messrs. Baker, Joice, and Knight, be that committee.

Mr. Walker, from the committee appointed, reported a bill to extend the charter of the Bank of Augusta, and to authorize an increase of the capital.

Which was read the first time.

Mr. Matthews presented the petition of a number of citizens of the 5th district of Houston county, praying to be added to the county of Bibb.

Which was read and referred to a committee, consisting of Messrs. Matthews, Wellborn, and Broadnax.

On motion of Mr. Knight,

The senate dispensed with its rules so far as to appoint a committee to prepare and report a bill to pardon Thomas Brock of Habersham county, consisting of Messrs. Knight, Blair, and Hendrick.

Mr. Footman notified the senate, that after to day he would move for the appointment of a committee to prepare and report a bill, to compel persons owning settled plantations and negroes in the county of Bryan, to return and pay taxes for such property in said county.

Mr. Jones presented the petition of a number of citizens of Newton county, praying to be added to the county of De Kalb.

Which was read and referred to a committee consisting of messrs. Jones, Choice, and Wynn, of Gwinnett.

Mr. Knight, from the committee appointed, reported a bill to pardon Thomas Brock.

Which was read the first time.

Mr. Knight from the committee to whom was referred the communication of the Governor, in relation to the survey of the 11th district of Irwin now Lowndes county, reported,

That they have had the same under consideration, and from the document inclosed therein, it appears to them that it will be necessary to re-survey and re-number the lots of a part of said district, so that the errors which seem to have been made, may be corrected. It has also been made appear to the committee, that the part of the country in which said district lies, is much subjected to inundation, which precludes the possibility of making a correct survey of it in many seasons of the year; in consequence of which, the district surveyors received such additional instructions from the surveyor general, as enabled them to make a report of the survey of their districts in times of extreme high waters; and the committee being satisfied that such might have been the case during the time of the survey of the 11th district aforesaid, are of opinion that the surveyor of said district should be indulged, and therefore recommend the following resolution:

Resolved, That the surveyor of the 11th district of Irwin now Lowndes county, be and he is hereby allowed and required to make such re-survey and alterations, as may be necessary to correct any errors or mistakes which may have been made in the surveying and numbering the lots in said district, and to make a return of the same to the surveyor general within six months from and after the 1st day of January next.

Which was read and ordered to lie on the table.

On motion of Mr. Horn,

Whereas, Murdock McLeod deposited his bond with security in the Executive office, for the faithful performance of the surveying of the 1st district of Dooly county—And whereas, the said McLeod has failed to perform that duty agreeable to the requisition of said bond.

Resolved, That the Governor be, and he is hereby requested to have said bond put in suit against the said McLeod and his securities; provided the said Murdock doth not pay into the treasury of this State, on or before the 1st day of June next, the damage the State has sustained in examining and re-surveying the said first district of Dooly.

Mr. Baker, of Warren, from the committee appointed, reported a bill to legalize the solemnization of the marriage contract entered into between Buckner Bass and Miss Ann Dozier, and to legitimize Jane Elizabeth their daughter.

Which was read the first time.

Mr. Clayton, of Clarke, from the committee appointed, reported a bill to divorce and separate Joseph Duke and Jane his wife.

Which was read the first time.

Mr. Brown, of Camden, from the committee appointed, reported a bill to divorce Zebulon Rudolph and Eliza Rudolph his wife.

Which was read the first time.

Mr. Wellborn had leave to introduce instantler, a bill to appoint

trustees for the poor school fund for the county of Houston, and vest the fund of the Houston academy in the same.

Which was read the first time.

On motion of Mr. Hendrick.

Whereas, It is known that the treaty made and concluded at the Indian Springs between the United States and the Creek nation of Indians, on the twelfth day of February, 1825, by which a large portion of land lying within the chartered limits of this State, has been acquired for the use of Georgia, has been practically abrogated and annulled by a treaty subsequently made and concluded at the city of Washington between the United States and the said Creek nation of Indians—And whereas, all the laws of this State providing for the disposition and distribution of the lands aforesaid, were predicated on the said treaty of the Indian Springs—And whereas, doubts are entertained as to the validity of those laws thus predicated—And whereas, the unmolested enjoyment and indisputable titles of landed estates are subjects of the greatest importance to the people of this State, and well deserves the most serious consideration of their representatives:

Be it therefore Resolved by both branches of the Legislature, That the joint judiciary committee be, and they are hereby instructed to report to the legislature as early as practicable, whether it is necessary to pass a law adopting the laws heretofore passed, and the proceedings under them for the disposition and distribution of said lands or not, and that they have power to report by bill or otherwise.

Mr. Ray, from the committee appointed, reported a bill to make permanent the site of the public building, in the county of Thomas, and to name the same, and to authorise the justices of the Inferior court to lay off said county into militia districts, and to establish the time of holding the Inferior courts for said county.

Which was read the first time.

The bill to incorporate the Catholic church of the purification, at Locust Grove in Warren county.

Was read the second time and ordered for a third reading.

The following bills were read the second time and ordered for committee of the whole.

A bill to repeal the 9th section of the 9th division of the penal code of this State.

A bill to incorporate Locust Grove academy in the county of Warren, and to appoint trustees for the same.

A bill to give further time to purchasers of fractions lots or islands, and to those who may have forfeited their lands at the late sales, to pay for the same.

A bill to authorise a lottery for the erection of three bridges in Newton county.

A bill to make permanent the site of the public buildings in the county of Early, and to name the same.

A bill to rent certain improvements and reserves which may be on a survey, found to be fractions within the late acquired territory, and

A bill to authorise certain parsons to plead and practice in the several courts of law and equity in this State, on certain conditions.

The bill to repeal an act entitled an act, to exempt from road duty on certain conditions, all male slaves on the island of St. Catherine

And the bill to make permanent the site of Jackson in Butts county, and to incorporate the same

Were severally read the third time and passed under their respective titles.

The senate resolved itself into committee of the whole, Mr. Brockman in the chair, on the bill to authorise certain commissioners therein named, to raise by lottery a fund for the erection of monuments to the memory of Greene and Pulaski in the city of Savannah.

The President resumed the chair, and Mr. Brockman reported the bill with an amendment.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The senate resolved itself into committee of the whole, on the bill to incorporate the Brunswick Canal Company, Mr. Powers in the chair.

The president resumed the chair, and Mr. Powers reported the bill with amendments.

Ordered, That the report lie on the table.

The senate resolved itself into committee of the whole, on the bill to lay off and add a part of the county of Dooly to the county of Pulaski, Mr. Jones in the chair.

The President resumed the chair, and Mr. Jones reported the bill with an amendment.

Ordered That the report lie on the table.

The senate adjourned until Monday morning next 10 o'clock.

MONDAY, November 20th, 1826.

On motion of Mr. Scarlett.

The senate took up the report of the committee of the whole, on the bill to incorporate the Brunswick Canal Company.

Which was read and amended.

And on motion of Mr. Daniel to strike out the following proviso at the end of the 14th section of the report, to wit :

" Provided always, That nothing herein shall be construed to deprive the company of a prior right or lien in case of any arrears to the same, on account of such shares."

And on the question to strike out, the yeas and nays being required, are—yeas 28, nays 28.

Those who voted in the affirmative are,
Messrs.

Alston	Daniel	Porter
Anderson	Footman	Powers
Baker of Liberty	Foster	Ray
Baker of Warren	Harman	Spann
Beall	Horn	Smith
Brown of Monroe	Hoxey	Thomas
Brockman	Janes	Tippins
Burney	Jones	White
Clayton of Pulaski	Love	Williams
Coffee		

Those who voted in the negative are,
Messrs.

Allen	Groves	Scarlett
Backstone	Harris	Sellers
Blair	Hendrick	Strawn
Brown of Camden	Joice	Walker
Brown of Decatur	Knight	Wellborn
Cargille	Matthews	Wooten
Choice	Powell of McIntosh	Wynn of Gwinnett
Clayton of Clarke	Powell of Rabun	Wynn of Hall
Dyall	Searborough	Young
Frezer		

The yeas and nays being equal the president voted in the affirmative.

The report being agreed to as amended, the bill was read the third time and passed.

Agreeably to notice, Mr. Footman moved for the appointment of a committee to prepare and report a bill to compel persons owning settled plantations and negroes in the county of Bryan, to return and pay taxes for such property in said county.

Ordered, That messrs. Footman, Baker, of Liberty, and Brown, of Decatur, be that committee.

Mr. Clayton, of Clarke, presented the memorial of Joseph Stiles, an inhabitant of the city of Savannah.

Which was read and referred to a committee, consisting of messrs. Clayton, of Clarke, Daniel, and Hoxey.

Mr. Williams from the committee appointed, reported a bill to vest in Jinny Poindexter and her legal representatives, a distributive share of the estate of her deceased father, Bartley McCrary.

Which was read the first time.

Mr. Hendrick notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to change the name of Levi Satterwhite to that of Leroy Driver, and to legitimize the same.

Mr. Jones from the committee appointed, reported a bill to define

the line between the counties of Newton and De Kalb, and to add a part of the former to the latter.

Which was read the first time.

Mr. Beall had leave to introduce instantler, a bill to define how far wives shall be entitled to dower in this State, and the time when their right to the same shall accrue.

Which was read the first time.

Mr. Footman, from the committee appointed, reported a bill to compel persons owning settled plantations and negroes in the county of Bryan, to pay taxes on said property in said county.

Which was read the first time.

Mr. Hoxey presented the petition of Mrs. Susan Sturges, widow of Daniel Sturges late surveyor general.

Which was read and referred to a committee, consisting of messrs. Hoxey, Burney, and Horn.

The senate took up the report of the committee on the petition of John Screven

Which was read and ordered to lie on the table.

The President laid before senate a communication from William Triplett, Esq. comptroller general, inclosing a letter from Thomas F. Wells, Esq. attorney general

Which was read and referred to the judiciary committee.

Mr. Coffee laid on the table the following resolution :

Resolved, That the committee on the state of the republic be instructed to inquire into the propriety and practicability of extending the jurisdiction of the State over the whole of her chartered limits.

On motion of Mr. Powers.

Resolved, That the joint military committee, be and they are hereby required to take into consideration the propriety of so amending the militia laws of this State, as to authorize the trial and punishment of officers in a more summary and less expensive manner to the State.

Mr. Brown, of Camden, presented the petitions of a number of citizens of the town of St. Mary's.

Which were read and referred to a committee, consisting of messrs. Brown, of Camden, Wooten, and Young.

The report of the committee of the whole, on the bill to regulate the intercourse between the banks of this State and other institutions and brokers, was

On motion of Mr. Daniel, recommitted to a committee of the whole.

The bill to appoint trustees for the poor school fund for the county of Houston, and vest the fund of the Houston county academy in the same.

The bill to legalize the solemnization of the marriage contract en-

ed into between Buckner Bass and Ann Dozier, and to legitimize Jane Elizabeth their daughter.

And the bill to make permanent the site of the public buildings in the county of Thomas, and to name the same, and to authorize the justices of the Inferior court to lay off said county into militia districts, and to establish the time of holding the Inferior courts for said county.

Were read the second time and ordered for a third reading.

The following bills were read the second time and ordered for a committee of the whole.

A bill to extend the charter of the Bank of Augusta, and to authorize an increase of the capital.

A bill to pardon Thomas Brock.

A bill to divorce and separate Joseph Duke and Jane Duke his wife.

A bill to divorce Zebulon Rudolph and Eliza Rudolph his wife.

And a bill to incorporate the Savannah, Ogechee and Alatamaha canal company.

The bill to incorporate the Roman Catholic church of the Purification at Locust Grove, in Warren county.

The bill to authorize certain commissioners therein named, to establish a lottery for the purpose of raising the sum of \$2500 for the purpose of aiding and assisting the funds of the Eatonton academy in the county of Putnam.

And the bill to continue in force an act to revise and amend the several land acts of this State.

Were read the third time and passed.

The senate resolved itself into a committee of the whole on the amendatory of an act passed the 24th day of December, 1825, entitled an act, amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded on the 12th day of February, 1825. Mr Daniel in the chair.

The President resumed the chair, and Mr. Daniel reported the bill with amendments.

The report was ordered to lie on the table.

The senate resolved itself into a committee of the whole on the bill for the relief of David Akridge of Clarke county, Mr. Harman in the chair.

The President resumed the chair, and Mr. Harman reported progress and had leave to sit again.

A message was received from the house of representatives by Mr. Lawson their clerk, to wit:

Mr. President,

The House of Representatives have passed the following bills, to wit:

A bill to repeal the third section of an act, entitled an act to re-

peal the third section of an act, entitled an act, to alter and amend an act, entitled an act, to alter and fix the time of holding the Superior and inferior courts in the several judicial circuits in this State, and to add the county of Madison to the northern, and the county of Bullock to the eastern, and the county of Columbia to the middle circuit, passed 14th December, 1819, so far as relates to the times of holding the Superior courts in the middle circuit, and to provide for the compensation of petit jurors attendant on the Superior courts in Richmond county.

A bill to extend the time for fortunate drawers in the land lottery of 1818, 1819, and 1821, to take out their grants and reduce the present price on lottery grants, and

A bill to authorize the justices of the Inferior court of Gwinnet county to remit a forfeiture incurred by Samuel Ellison.

They have agreed to a resolution granting indulgence to John Keener for a debt due the State.

To a resolution on the subject of the correspondence between the Governors of Georgia and South Carolina, relative to the navigation of Savannah and Tugalo rivers

Also, to a report and resolution in favor of Samuel Brooks, one of the sectional surveyors.

And a bill to amend an act, entitled an act, amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs, &c.

To which they desire concurrence:

And he having withdrew,

The senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, November 21, 1826.

Mr. Sellers presented the petition of James Houston a minute-making during the revolutionary war.

Which was read and with its accompanying documents referred to a committee consisting of Messrs. Sellers, Clayton, of Clark, and Burney.

Mr. Matthews had leave to introduce instanter a bill to incorporate the Washington Academy, in the county of Bibb.

Which was read the first time:

Mr. Strawn notified the senate, that after to day, he would move the appointment of a committee to prepare and report a bill to alter and change the time of holding the superior courts of this State, in far as respects the Flint circuit.

Mr. Williams had leave to introduce instantler a bill to amend an act entitled an act to amend and consolidate the several acts for the better regulation and government of the town of Milledgeville, passed 19th of Dec. 1818.

Which was read the first time.

Mr. Williams presented the petition of a number of citizens of Washington county, praying to be added to the county of Baldwin.

Which was read and referred to a committee consisting of messrs Williams, Tennille, and Beall.

The senate took up the resolution authorising the Governor to deliver, or cause to be delivered to William Bowen, all the African negroes now in the custody or control of the State, and also to cause to be paid to the said Wm. Bowen whatever sum of money remains unexpended of the proceeds of the Africans heretofore sold by the State.

Which was read and ordered to lie on the table.

The senate took up the report of the committee of the whole on the bill to add a part of the lately acquired territory to the county of Crawford—when,

On motion of Mr. Blackstone, the said bill was recommitted to a committee of the whole.

The senate then resolved itself into a committee of the whole on the said bill, Mr. Beall in the chair.

The president resumed the chair, and Mr. Beall reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required are—yeas 30, nays 27.

Those who voted in the affirmative are,

Messrs.

Anderson	Coffee	Spann
Beall	Foster	Scarlett
Blackstone	Frazer	Sellers
Blair	Harris	Smith
Broadnax	Hendrick	Strawn
Brown of Camden	Matthews	Walker
Burney	Powell of McIntosh	White
Cargille	Powell of Rabun	Wellborn
Clayton of Clark	Porter	Wooten
Clayton of Pulaski	Scarborough	Young

Those who voted in the negative are;
Messrs.

Allen	Footman	Love
Alston	Groves	Powers
Baker of Warren	Harmon	Ray
Brown of Decatur	Horn	Thomas
Brown of Monroe	Hoxey	Tippins
Brockman	James	Williams
Choice	Joice	Wimberly
Daniel	Jones	Wynn of Gwinnett
Dyall	Knight	Wynn of Hall

Mr. Clayton of Clark, laid on the table the following resolution

Resolved, That an agent be appointed by joint ballot of both branches of the General Assembly, whose business and duty it shall be to proceed to the territory lately acquired from the creek nation Indians, and take possession of all the reserves and fractions whether improved or not; and that he be authorised to rent out the same to the best advantage, either by private contract or public renting, or both, at the discretion of the agent, the leases to expire on the 25th Dec. 1827; and when so rented, that he be authorised to put in possession the leasees of said lands by removing all intruders from the same, and if by resistance on the part of said intruders, the agent shall be unable to remove them, his Excellency the Governor be authorised, and he is hereby requested, to afford the agent such aid as will enable him to carry this resolution into effect. And the compensation of said agent shall be ——— per cent. on the total amount he shall obtain as rent for the said reserves and fractions.

On motion, the honorable senator from the county of Butts had leave of absence after to-day for a few days.

Mr. Hoxey, from the committee to whom was referred the petition of Susan Sturgess, widow of Daniel Sturgess, dec. late surveyor general—Reported,

That they have had the same under consideration and believe the same to be just and reasonable, and that the prayer of your petitioner ought to be granted. The precedent set by a former Legislature in compensating the husband of your petitioner for similar services, together with the justice of the claim of your petitioner, induces your committee to recommend that there be appropriated by law to the said Susan Sturgess, the sum of two hundred and twenty five dollars for seventy five lists of the numbers and quantities of the several fractions situate in eighteen counties; eighteen dollars for six other certified lists as above, and the further sum of two hundred and twenty two dollars for thirty seven general plans of the fractional surveys for the use of the commissioners—making in the whole, the sum of four hundred and sixty five dollars, which shall be in full for the above service.

Which was read and ordered to lie on the table.

Agreeably to notice, Mr. Hendrick moved for the appointment of a committee to prepare and report a bill to change the name of Levi Satterwhite to that of Leroy Driver, and to legitimatise the same.

Ordered, That messrs. Hendrick, Knight, and Dyal, be that committee.

Mr. Clayton, of Clark, from the joint judiciary committee, to whom was referred the correspondence of his Excellency the Governor, with the General Government relative to the boundary line between Georgia and Florida—Reported,

That they have had the same under consideration, and fully approve of the course proposed and agreed on by the Governor and the President. They accordingly recommend that a commissioner be appointed by his excellency the Governor to attend on the part of Georgia, on the first Monday in Decembr next, or to attend on any other day which shall be subsequently agreed on by the parties, for the purpose of defining and marking out said line.

Which was read and agreed to.

Mr. Clayton of Clark, from the same committee, to whom was referred the petition of a number of good citizens of this State, concerning obstructions placed in their pass-ways to their respective tracts of land, also Reported,

That they have had the said petition under consideration, and beg leave to report that the common law in force upon this subject, to wit: the right of ingress and egress to real property, is more full and explicit than any statutory enactments could be expected to be on this matter; and should any great difficulties occur, we are of opinion that ample remedy can be obtained by application to the inferior court of the several counties under the road laws already enacted—and offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

Which was read and ordered to lie on the table.

The senate took up the message of the house of representatives of yesterday, and the bills herein contained were severally read the first time.

The resolution granting indulgence to John Keener for a debt due the State.

And the resolution on the subject of the correspondence between the Governor's of Georgia and South-Carolina relative to the navigation of Savannah and Ogeechee rivers,

Were read and concurred in.

The report and resolution in favor of Samuel Brooks, one of the sectional surveyors, was read and ordered to lie on the table for the present.

Mr. Jones laid on the table the following resolution:

Resolved, That the committee on the State of the Republic be instructed to enquire into the expediency of framing a complaint to the house of representatives of the United States against the President,

for not removing Col. John Crowell, the Agent for the Greek nation, he having so often been solicited to do so by the Legislature of this State.

The senate took up the report of the committee to whom was referred the communication of the Governor, relative to the survey of the 11th district of Irwin now Lowndes county,

which was read and agreed to.

On motion of Mr. Walker,

Resolved, That the Governor be requested, and he is hereby authorised, to have each of the portraits in the state-house covered in such manner as he may think proper, for the purpose of avoiding injury from dust, flies, etcetera.

The following bills were read the second time and ordered for a third reading:

The bill to vest in Jinny Poindexter, and her legal representatives, a distributive share of the estate of her deceased father, Bartley McCrary.

The bill to define the line between the counties of Newton and De Kalb, and to add a part of the former to the latter.

And the bill to compel persons owning settled plantations and negroes in the county of Bragg, to pay taxes on said property in said county.

The bill to define how far widows shall be entitled to dower in this State, and the time when their right to the same shall accrue, was read the second time and ordered for a committee of the whole.

The bill to legalise the solemnization of the marriage contract entered into between Buckner Bass and Ann Dozier, and to legitimatise Jane Elizabeth their daughter.

And the bill to make permanent the site of the public buildings in the county of Thomas, and to name the same, and to authorise the justices of the inferior court to lay off said county into militia districts, and to establish the time of holding the inferior courts of said county, were read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to pardon Thomas Brock, Mr. Coffee in the chair.

The president resumed the chair, and Mr. Coffee reported the bill without amendment.

The senate took up and agreed to the report.

Ordered, That it do lie on the table.

On motion of Mr. Hendrick,

Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That the petition of William Bowen, and the report of the committee to whom said petition was referred, be referred to the joint committee on the State of the Republic.

Mr. Knight had leave to introduce instantly a bill to add a part of the county of Lowndes to the county of Thomas.

Which was read the first time.

Mr. Clayton of Clark, had leave to introduce instantler a bill for the relief of Garland Lane.

Which was read the first time.

On motion of Mr. Daniel,

Whereas, it has been communicated to the Senate, that General John McIntosh is no more,

Be it therefore unanimously Resolved, That the Senate entertaining an exalted opinion of his services rendered to Georgia throughout the revolutionary war, and since in various stations, in all of which he acquitted himself with integrity, talents, zeal, and an unvaried devotion to the cause of his country, and also of his private character as a good citizen, deeply deplore his death :

Resolved, That the senate do wear crape on the left arm for 30 days, as a mark of respect for the memory of the deceased.

Resolved, That the house of representatives be notified of the same.

Resolved, That the senate do now adjourn—whereupon,

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, November 22, 1826.

On motion of Mr. Daniel,

The senate reconsidered so much of their journal of yesterday, as relates to the order for a third reading of the bill to compel persons owning settled plantations; and negroes in the county of Bryan, to pay taxes on said property in said county.

Ordered, That said bill stand for committee of the whole.

On motion of Mr. Harman,

The senate reconsidered so much of their journal of yesterday, as relates to the reference to the joint committee on the State of the Republic, the petition of William Bowen, and the report of the committee to whom said petition was referred

Mr. Groves, from the committee on enrollment, reported as duly enrolled and signed by the speaker of the house of representatives, the following acts, to wit:

An act to authorise and empower Jonathan Phillips, of Pike county, to establish a ferry across Flint river.

An act to change the time of holding the inferior courts in the county of Telfair.

An act to change the names of certain persons therein mentioned, and legitimate the same—and

An act to amend an act entitled an act to incorporate the Bank of Darien, passed the 15th day of Dec. in the year 1818.

Which were presented to, and signed by the president of the senate.

Ordered, That the committee of enrollment, do carry said acts to, the Governor for his revision.

On motion of Mr. Scarborough,

The senate took up the report of the committee of the whole on the bill to lay off and add a part of the county of Dooley to the county of Pulaski.

Which was read and agreed to.

And the bill read the third time and passed.

Mr. Powers presented the annual report of the principal keeper of the Penitentiary.

Which was read and referred to the joint penitentiary committee.

On motion of Mr. Powers,

Resolved, That the printing committee have printed, two hundred copies of the report of the principal keeper of the penitentiary, for the use of the members.

Mr. Sellers, from the committee to whom was referred the petition of James Houston—Reported,

That they have had the same under consideration, and have believed the prayer of the petitioner to be reasonable, and that it ought to be granted. They therefore respectfully submit the following resolution:

Resolved, That the sum of four hundred dollars be, and the same is hereby appropriated, to the use of James Houston, a revolutionary soldier, and that the same be inserted in the appropriation act.

Which was read and ordered to lie on the table.

Mr. Beall had leave to introduce instantler a bill to separate and divorce Cordy D. Stokes and Theny Stokes his wife.

Which was read the first time.

Mr. Hendrick had leave to introduce instantler a bill to separate and divorce Dennet Taylor and Cynthia his wife.

Which was read the first time.

The senate took up the resolution laid on the table by Mr. Jones on yesterday—Which was amended to read as follows, and agreed to:

Resolved, That the committee on the State of the Republic be instructed to enquire into the expediency of framing a complaint to the house of representatives of the United States against the President for not removing Col. John Crowell, the agent for the Creek nation, he having been so often solicited to do so by the Legislature of this State.

And be it further resolved, That the same committee be instructed to enquire into the expediency of framing a complaint to the house of representatives of the United States against the President for arresting and trying General Gaines for the reported insult to the authorities of Georgia, although the President admitted he had been offered by Gen. Gaines.

Mr. Brown of Camden, presented the petition of Elihu Atwater, the security of Wm. Scott, Jr. late tax collector for the county of Camden.

Which was read and referred to the committee on finance.

Mr. Clayton of Clark, presented a petition from a number of the inhabitants of a part of the county of Houston, praying the formation of a new county from part of Houston and a part of the lately acquired territory.

Which was read and referred to a committee consisting of Messrs. Clayton of Clark, Wellborn, and Scarborough.

Mr. Foster had leave to introduce instantler a bill to legitimatise and change the name of George A. Wilson to that of George A. Millican.

Which was read the first time.

The following bills were read the second time and ordered for a third reading—

The bill to incorporate the Washington Academy, in the county of Bibb.

The bill to alter and amend an act entitled an act to amend and consolidate the several acts for the better regulation and government of the town of Milledgeville, passed 19th Dec. 1818.

The bill to add a part of the county of Lowndes to the county of Thomas.

And the bill for the relief of Garland Lane.

The following bills were severally read and ordered for committee of the whole.

The bill to amend an act entitled an act amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825.

The bill to repeal the third section of an act entitled an act to alter and fix the time of holding the superior and inferior courts in the several judicial circuits in this State, and to add the county of Madison to the northern, and the county of Bullock to the eastern, and the county of Columbia to the middle circuit, passed the 14th Dec. 1819, so far as relates to the times of holding the superior courts of the middle circuit, and to provide for the compensation of petit jurors attendant on the superior courts of Richmond county.

The bill to authorise the justices of the inferior court of Gwinnett county, to remit a forfeiture incurred by Samuel Ellison.

The bill to extend the time for fortunate drawers in the land lottery of 1818, 1819 and 1821, to take out their grants and to reduce the present price on lottery grants.

The following bills were read the third time and passed :

The bill to appoint trustees for the poor school fund for the county of Houston, and vest the fund of the Houston Academy in the same.

The bill to vest in Jinny Poindexter, and her legal representatives, a distributive share of the estate of her deceased father, Baitie McCrary.

And the bill to define the line between the counties of Newton and De Kalb, and to add a part of the former to the latter.

The senate resolved itself into a committee of the whole, on the bill for the relief of revolutionary soldiers and others, holding bounty warrants, Mr. Walker in the chair.

The president resumed the chair, and Mr. Walker reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole on the bill to alter the 1st section of the 4th article of the constitution, so as not to make the payment of taxes previous to the general election, a qualification necessary to entitle a citizen to vote for members of the General Assembly, Mr. Blair in the chair.

The president resumed the chair, and Mr Blair reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required are—yeas 43, nays 13.

Those who voted in the affirmative are,
Messrs.

Allen	Foster	Scarlett
Alston	Frazer	Sellers
Anderson	Groves	Smith
Blackstone	Hartman	Strawn
Blair	Harris	Tippins
Brown of Camden	Hendrick	Walker
Brown of Decatur	Hoxey	White
Brown of Monroe	Janes	Wellborn
Brockman	Joice	Williams
Burney	Love	Wimberly
Choice	Matthews	Wynn of Gwinnett
Clayton of Clark	Powell of Rabun	Wynn of Hall
Clayton of Pulaski	Porter	Young
Coffee	Scarborough	
Dyall	Spann	

Those who voted in the negative are,
Messrs.

Baker, of Warren	Horn	Powers
Beall	Jones	Ray
Brown of Hancock	Knight	Stokes
Daniel	Powell of McIntosh	Wooten
Footman		

The senate resolved itself into a committee of the whole, on the bill to regulate the intercourse between the banks of this State, and other institutions and brokers, Mr. Powell of McIntosh in the chair.

The president resumed the chair, and Mr. Powell reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required are—yeas 28, nays 26.

Those in the affirmative are,
Messrs.

Allen	Frazer	Scarborough
Baker of Warren	Horn	Scarlet
Brown of Decatur	Hoxey	Smith
Brown of Hancock	Janes	Stokes
Brown of Monroe	Jones	Tippins
Brockman	Love	Walker
Coffee	Matthews	Williams
Daniel	Porter	Wimberly
Footman	Powers	
Foster	Ray	

Those in the negative are,
Messrs.

Alston	Clayton of Pulaski	Powell of Rabun
Anderson	Dyall	Spann
Beall	Groves	Sellers
Blackstone	Harman	Strawn
Blair	Harris	Wooten
Brown of Camden	Hendrick	Wynn of Gwinnett
Burney	Joice	Wynn of Hall
Choice	Knight	Young
Clayton of Clark	Powell of McIntosh	

The following message was received from the house of representatives, by Mr. Dawson, their clerk, to wit:

Mr. President:

The house of representatives have passed the following bills, to wit:

A bill for the relief of James Cartledge, tax-collector of Columbia county, and administrator of Ayres Cartledge, deceased.

A bill for the relief of the heirs of William Bacon.

A bill to legitimate and change the name of Alexander Medds to that of Alexander Herrington.

A bill to establish and regulate an additional election district in the county of Liberty.

50

A bill to alter and amend an act for appointing commissioners for ascertaining the boundaries of the towns and commons of Brunswick and Fredrica, passed 21st February, 1796.

A bill to incorporate the Jefferson Academy, in the county of Newton.

A bill to incorporate the Flat Shoal Academy, in the county of Jones.

A bill to alter and amend an act, passed 24th Dec. 1825, to organise the counties of Thomas and Lowndes, so far as respects the holding courts and elections, at Sion Hall's.

A bill to explain and amend an act, passed on the 24th day of Dec. 1825, entitled an act to lay out a new county, to be composed of parts of the counties of Wilkes, Warren, Hancock, Greene and Oglethorpe, and to provide for the organization thereof.

A bill to authorise the justices of the inferior court of Franklin county, to levy an extra tax to build a court house.

A bill, further to define the duty of executors, in the probate of wills.

A bill to separate and divorce Anna Moon and James Moon her husband.

A bill to separate and divorce Patsey Crocket and Elias Crocket her husband, &c.

A bill to incorporate the Towaliga Academy, in Monroe county.

And a bill to alter the time of holding the superior court in the county of Columbia, and the winter session of the inferior court, &c.

They have agreed to a resolution, on the petition of Catherine Proctor Lambert, heir and representative, of Col. John White, a revolutionary officer ;

To a resolution in favor of Dr. Lovic Pierce, in relation to certain lands which formerly belonged to the University of this State, lying in Greene county :

And that as a mark of respect and gratitude for the services, the patriotism, and virtues, of the late Gen. John McIntosh, and of regret for his death, the House of Representatives have unanimously agreed to wear crape on the left arm for thirty days.

To all which they desire concurrence. And he withdrew.

The Senate took up the message, and the bills therein contained were severally read the first time.

The resolution of the house in favor of Dr. Lovic Pierce, in relation to certain lands which formerly belonged to the University of this State, and lying in Greene county,

Was read and concurred in.

And the report and resolution, on the petition of Catherine Proctor Lambert, the heir and representative of Col. John White, a revolutionary officer,

Was read and ordered to lie on the table.

Mr. Knight had leave to introduce instantly a bill to appoint trustees for the poor school fund in the county of Lowndes, and vest the funds of the Lowndes county Academy in the same.

10

Mr. Foster notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill to authorize the courts of ordinary of this State to grant writs of distribution on real estates, and to prevent suits brought by or against executors, administrators, and guardians, from abating upon the death or removal of either, and for other purposes.

Mr. Wynn of Hall, notified the senate, that after to-day he would move for the appointment of a committee to prepare and report a bill to repeal an act, passed in 1824, making it the duty of collectors of taxes to return a list of persons names who have failed to pay their tax, to superintenders of the elections for members to the General Assembly of this State.

The Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, November 23d, 1826.

Mr. Brown, of Camden, from the committee appointed, reported a bill to incorporate the Independent Presbyterian church in the city of St. Mary's.

Which was read the first time.

Mr. Hendrick from the committee appointed, reported a bill to change the name of Levi Satterwhite to that of Leroy Driver, and to legitimize the same.

Which was read the first time.

Mr. Wynn, of Gwinnett, notified the senate, that after to-day, he would move for the appointment of a committee to prepare and report a bill, to make penal the law to operate after a given time, on all persons whatever that shall be found residing upon the lands chartered to Georgia, yet within the Cherokee nation of Indians, and such officers of the general government as are necessary to carry into effect their acknowledged power, to regulate commerce with the Indians excepted, and to confiscate all the property of such violators of this law; and also to confiscate all negro property that may be found to reside on said lands by the consent of the owner of such negro.

Mr. Allen from the joint committee on agriculture and internal improvement, to whom was referred the report of the Board of Public Works, reported,

That it contains much useful and valuable matter upon the subject of internal improvement, and the manner in which a system can be most usefully and judiciously adopted correspondent to the resources, commerce, and population of Georgia. The disrepute into which that body has, in some measure fallen, is attributable to the objects dictated to them by the last general assembly, and which they were constrained to pursue contrary to their better judgments. It can be deemed no disrespect or injustice to any legislative body, to believe that six or eight intelligent and enlightened men, are better qualified to frame and execute a system of internal improvement, than a larger number of persons drawn together for various, multiplied, and conflicting objects of public utility; and it can be safely foretold, that if Georgia ever does execute a system of internal improvement subservient to her great interests, it must be under the direction of such a body as the Board of Public Works. It is not thought that the board should hold a control over the resources of the State, or be enabled to adopt any one measure independent of the intention of the legislature. Let it be competent for the former to suggest, the latter will adopt or reject as its judgment may dictate; and upon the adoption of a system by the legislature, that its execution devolve upon the Board of Public Works. By the present law, the members of the Board are allowed the same pay with members of the legislature—They have expended, including the salary of a Chief and two Assistant Engineers, the purchase of instruments, &c. \$10,144 72½ cents. The annual expenditure for future years will, as is shewn in their report, fall considerably below that amount.

The Board of Public Works suggest the expediency, at least for the present, of engaging in the execution of so extended and so costly a scheme of internal improvement, as that pointed out in a law passed the 24th day of December, 1825. Your committee, coinciding in that opinion, accompany this report with a bill for the repeal of that law.

It is recommended by the same body, that the attention of the legislature should first be directed to the improvement of the rivers which drain the greater part of our territory.—In this opinion your committee fully concur, and with this report lay before the house of representatives a bill appropriating \$80,000 to be placed under the control of the Board of Public Works for improving the navigation of the Savannah, Alatomaha, Oconee, Ocmulgee, and Chattahoochie rivers. When these objects are executed, it will be in time for a future legislature to determine upon the propriety of such other schemes of internal improvement as the resources, population, and commerce of this State may require.

Your committee cannot conclude without expressing its approbation of the conduct of the Board of Public Works, and the able report of Mr. Fulton, the Chief Engineer—And your committee beg leave to report a bill to repeal an act passed the 24th day of December 1825, entitled an act to lay out a central Canal or Railway through the State.

Which was read the first time.

Mr. Powers presented the annual report of the inspectors of the Penitentiary, and

On motion,

It was resolved, that two hundred copies of the same be printed for the use of the members.

On motion of Mr. Powell, of McIntosh.

Resolved, That the judiciary committee enquire into the expediency of providing for the appointment of the judges of the Superior courts of this State, without requiring residence in the respective circuits, and to compel them to alternate, and that they have leave to report by bill or otherwise.

On motion of Mr. Groves.

Resolved, That the general assembly do most cheerfully acquiesce in the sentiment suggested by his excellency the Governor, as expressed in his message, that it is the duty of nations and communities, as well as individuals, to render from time to time that homage and adoration so justly due to that Being who is the donor of all good—They believe and acknowledge it to be a duty of constant and unremitting obligation imposed on them by Almighty God, always to be deeply impressed with a due sense of their dependance and reliance on Him who is the disposer of all events, either social or individual, and to be prepared at all times to render that submission and service so justly required at our hands to the dispensation of of the *Ruler* of the universe, which it may please Him, the disposer of events, to blend in the lot of either men or nations, while in the present year there has been many undeserved favors received and bestowed by the hands of Providence, to claim our fervent and united thanks; and there has been also seen in our land, his hand of affliction sent no doubt for our chastisement, and to shew us our dependence on Him an *Independent God*.

To testify, therefore in a christian-like manner, in every way suited to the professions and practices of christian people, and to shew how grateful we are and ought to be for the protection of Heaven, while we are not less humbled by the afflictions sent upon us during the present year for correction for our disobedience, we do sincerely recommend to his excellency the Governor to set apart a day of general thanksgiving and prayer as suggested in his communication, and to adopt such measures as he may think proper to carry this resolution into effect.

Mr. Burney, from the committee appointed, reported a bill to amend the judiciary act of 1799, so far as relates to mortgages on real estates.

Which was read the first time.

On motion of Mr. Knight.

The senate took up the report of the committee of the whole, on the bill to pardon Thomas Brock.

Which was read and agreed to.

And on the question "Shall this bill now pass?" it was determined in the negative.

The senate took up the report of the committee on the petition of James Houston a revolutionary soldier.

Which was read.

And on the question to agree thereto, it was determined in the affirmative.

The yeas and nays being required, are yeas 34, nays 25.

Those who voted in the affirmative are,

Messrs.

Allen	Frazer	Scarlett
Alston	Foster	Sellers
Beall	Harman	Smith
Blackstone	Harris	Strawn
Broadnax	Hoxey	Tennille
Brown of Camden	Jones	Thomas
Burney	Lawson	Walker
Choice	Love	White
Clayton of Clarke	Matthews	Wellborn
Coffee	Porterr	Williams
Daniel	Scarborough	Wynn of Gwinnett
Footman		

Those in the negative are,

Messrs.

Anderson	Horn	Spann
Baker of Warren	Janes	Stokes
Blair	Joice	Tippins
Brown of Decatur	Knight	Witt
Brockman	Powell of McIntosh	Wimberly
Clayton of Pulaski	Powell of Rabun	Wooten
Dyall	Powers	Wynn of Hall
Groves	Ray	Young
Hendrick		

The following bills from the house of representatives, were severally read the second time and ordered for a third reading.

A bill to separate and divorce Anna Moon and James Moon her husband.

A bill to incorporate the Towaliga academy in Monroe county.

A bill to incorporate the Flat Shoal academy in the county of Jones.

A bill to alter and amend an act passed 24th December, 1825, to organize the counties of Thomas and Lowndes, so far as respects the holding of the courts and elections at Sion Hall's.

A bill to explain and amend an act, passed on the 24th day of December, 1825, entitled an act to lay out a new county to be composed of parts of the counties of Wilkes, Warren, Hancock, Greene and Oglethorpe, and to provide for the organization thereof.

A bill to incorporate the Jefferson academy in Newton county.

A bill to authorise the justices of the Inferior court of Franklin county to levy an extra tax to build a court house.

A bill for the relief of the heirs of William Bacon;

A bill to legitimate and change the name of Alexander Meads, to that of Alexander Herrington, and

A bill for the relief of James Cartledge, tax collector of Columbia county, and administrator of Ayres Cartledge, deceased.

The following bills were severally read the second time, and ordered for committee of the whole.

A bill to separate and divorce Cordy D. Stokes and Theny Stokes his wife.

A bill to separate and divorce Dennet Taylor and Cynthia Taylor his wife.

A bill to appoint trustees for the poor school fund for the county of Lowndes, and vest the funds of the Lowndes county academy in the same.

A bill to legitamatize and change the name of George A. Wilson to that of George A. Millican.

A bill to alter and amend an act for appointing commissioners for ascertaining the boundaries of the towns and commons of Brunswick and Frederica, passed February 21, 1796.

A bill to alter the time of holding the Superior court in the county of Columbia, and the winter session of the Inferior court, and for other purposes.

A bill further to define the duties of executors in the probate of wills, and

A bill to separate and divorce Patsey Crocket and Elias Crocket her husband.

The following bills were severally read the third time and passed, under their respective titles, to wit:

A bill to incorporate the Washington Academy in the county of Bibb.

A bill to alter and amend an act, entitled an act, to amend and consolidate the several acts for the better government and regulation of the town of Milledgeville, passed 19th December, 1818.

A bill to add a part of the county of Lowndes to the county of Thomas.

And a bill for the relief of Garland Lane.

The senate resolved itself into a committee of the whole on the bill to add a part of the lately acquired territory from the Creek nation of Indians to the county of Baker, Mr. Coffee in the chair.

The president resumed the chair, and Mr. Coffee reported the bill without amendment.

The Senate took up and agreed to the report.

The bill was read the third time.

And on the question "Shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required are—yeas 33, nays 23.

Those in the affirmative are,

Messrs.

Anderson
Beall
Blackstone

Daniel
Foster
Frazer

Spann
Scarlet
Sellers

Blair	Hendrick	Smith
Broadnax	Mathews	Strawn
Brown of Camden	Powell of McIntosh	Tennille
Brown of Decatur	Powell of Rabun	Walker
Burney	Porter	White
Clayton of Clark	Powers	Wellborn
Clayton of Polaski	Ray	Wooten
Coffee	Scarborough	Young

Those in the negative are,
Messrs.

Allen	Harris	Thomas
Alston	Horn	Tippins
Baker of Warren	Hoxey	Witt
Bockman	Janes	Williams
Choice	Jones	Wimberly
Dyall	Knight	Wynn of Gwinnett
Footman	Love	Wynn of Hall
Groves	Stokes	

The senate resolved itself into a committee of the whole, on the bill to require sheriffs to take bonds for the delivery of personal property on the day of sale, Mr. Baker, of Warren in the chair.

The President resumed the chair, and Mr. Baker reported that they had disagreed to the bill.

The senate took up and agreed to the report.

The senate resolved itself into a committee of the whole on the bill to separate and divorce Riley Finley and Mary Finley his wife, Mr. Jones in the chair.

The president resumed the chair, and Mr. Jones reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required, are—yeas 41, nays 13.

Those in the affirmative are,

Messrs.

Allen	Hendrick	Smith
Baker of Warren	Horn	Strawn
Beall	Hoxey	Tennille
Broadnax	Janes	Thomas
Brown of Camden	Jones	Tippins
Burney	Love	Walker
Choice	Mathews	White
Clayton of Clark	Powell of McIntosh	Witt
Coffee	Powell of Rabun	Wellborn
Dyall	Powers	Williams
Footman	Ray	Wimberly

Wazer
Hroves
Iarman

Scarborough
Spann
Scarlett

Wooten
Young

Those in the negative are,
Messrs.

Alston
Anderson
Blackstone
Brown of Decatur
Brockman

Clayton of Pulaski
Daniel
Foster
Harris

Joice
Knight
Wynn of Gwinnett
Wynn of Hall

The senate resolved itself into a committee of the whole on the bill to amend the several laws heretofore passed, to regulate the granting attachments and issuing summons of garnishment, Mr. Allen in the chair.

The President resumed the chair, and Mr. Allen reported that they had disagreed to the bill.

Ordered, That the report do lie on the table.

On motion, The honorable senators from the counties of Montgomery and Laurens had leave of absence for a few days.

Agreeably to notice, Mr. Strawn moved for the appointment of a committee to prepare and report a bill to alter and change the times of holding the Superior courts of this State, so far as respects the Flint circuit.

Ordered, That messrs. Strawn, Matthews, Brown, of Monroe; Choice, and Jones, be that committee.

On motion of Mr. Powers.

Resolved, That a committee be appointed to enquire into the propriety of authorizing and requiring general index books to be made out for the offices of secretary of state and surveyor general, and that they have leave to report by bill or otherwise.

Ordered, That messrs. Powers, Burney, and Beall, be that committee.

Mr. Wellborn had leave to introduce instantler, a bill to add the county of Upson to the third brigade of the sixth division of the Georgia militia.

Which was read the first time,

Mr. Clayton, of Clarke, had leave to introduce instantler, a bill to create the office, prescribe the duties, and fix the compensation of public printer.

Which was read the first time.

Mr. White from the committee appointed, reported a bill to lay off, define and keep open the main channel of Flint river, so as to prevent the obstruction of the free passage of fish, and to appoint commissioners for the same.

Which was read the first time.

Mr. Coffee presented the petitions of Nathan Grantham and William Egge, revolutionary soldiers.

Which were read and referred to the committee on petitions.

Mr. Spann from the committee appointed, reported a bill to amend the 14th section of an act passed the 9th of June 1825, to dispose of & distribute the land lately acquired by the U. States, for the use of Georgia, of the Creek nation of Indians, at a treaty made and concluded at the Indian Springs, on the 12th day of February, 1825.

Which was read the first time.

On motion,

The honorable senator from the county of Telfair, was added to the committee on petitions.

Agreeably to notice, Mr. Wynn of Hall, moved for the appointment of a committee to prepare and report a bill to repeal an act passed in 1824, making it the duty of collectors of taxes, to return a list of persons names who have failed to pay their tax, to superintenders of the elections for members to the general assembly of this state.

Ordered, That Messrs. Wynn, of Hall, Clayton, of Clarke, and Coffee, be that committee.

The Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, November 24th, 1826.

On motion,

The honorable senator from the county of Bibb had leave of absence after to day, for a few days.

The senate took up the report of the committee on the petition of John Screven, Esq. praying the redemption of certain bills of credit.

Which was read—and by unanimous consent ordered to lie on the table.

Agreeably to notice, Mr. Wynn of Gwinnett, moved for the appointment of a committee to prepare and report a bill to make penal the law, to operate after a given time on all persons whatever, that shall be found residing upon the lands chartered to Georgia, yet within the Cherokee nation of Indians. Indians, and such officers of the General Government as are necessary to carry into effect their acknowledged power, to regulate commerce with the Indians excepted, and to confiscate all the property of such violators of this law.

And also, to confiscate all negro property that may be found to reside on said lands, by the consent of the owner of such negro.

Ordered That messrs. Wynn, of Gwinnett, Clayton, of Clarke, Burney, Daniel, and Coffee, be that committee.

The senate took up the resolution in favor of William Bowen which was amended to read as follows, and agreed to:

Whereas, the Legislature at their last session did pass a joint resolution, authorising the Governor to deliver to William Bowen the Africans now in custody of the State, and also the balance of money as proceeds of Africans heretofore sold, and it appearing that one of the conditions on which such delivery was founded, is impossible to be complied with—for remedy whereof,

Be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That immediately after the passing of this resolution, it may, and shall be the duty of his excellency the Governor, to deliver, or cause to be delivered to William Bowen, all the African negroes now in the custody or control of the State, and also to pay, or cause to be paid to the said Wm. Bowen, whatever sum of money remains unexpended of the proceeds of Africans heretofore sold by said State, on the condition that the said Wm. Bowen do execute to the Governor a full release of all claims on the State for her interference or detention of said slaves and proceeds: *Provided,* nevertheless, that the said William Bowen pay to Henry Darnell, in satisfaction for services rendered in taking care of said Africans, the sum of two hundred and fifty dollars, or execute to him a sufficient conveyance for a negro woman and two children, a portion of said Africans now in possession of said Darnell.

Mr. Clayton of Clark, from the committee appointed, reported a bill to form a new county out of parts of Houston county and the second section of the newly acquired territory, and to organise the same.

Which was read the first time.

The following bills were read the second time and ordered for a third reading:

The bill to change the name of Levi Satterwhite to that of Leroy Driver, and to legitimatise the same.

The bill to add the county of Upson to the third brigade of the sixth division of Georgia Militia.

And the bill to incorporate the Independent Presbyterian Church, in the city of St. Marys.

The following bills were severally read the second time, and ordered for committee of the whole, to-wit:

A bill to repeal an act, passed 24th Dec. 1825, entitled an act to lay out a central canal or railway, through this State.

A bill to amend the judiciary act of 1799, so far as relates to mortgages on real estates.

A bill to create the office, prescribe the duties, and fix the compensation of public printer.

A bill to amend the 14th section of an act, passed the 9th day of June, 1825, to dispose of and distribute the lands acquired by the United States for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825.

A bill to lay off, define and keep open the main channel of Flint river, so far as to prevent the obstruction of the free passage of fish, and to appoint commissioners for the same.

And a bill to establish and regulate an additional election district in the county of Liberty.

The following bills of the house of representatives, were read the third time and passed :

The bill to incorporate the Flat Shoal Academy, in the county of Jones.

The bill to incorporate the Towaliga Academy, in Monroe county.

The bill to authorise the justices of the inferior court of Franklin county, to levy an extra tax to build a court house.

The bill for the relief of the heirs of William Bacon.

The bill to legitimate and change the name of Alexander Meads to that of Alexander Herrington.

The bill for the relief of James Cartledge, tax-collector of Columbia county, and administrator of Ayres Cartledge, deceased.

The bill to alter and amend an act, passed 24th Dec. 1825, to organise the counties of Thomas and Lowndes, so far as respects the holding courts and elections at Sion Hall's.

The bill to explain and amend an act, passed on the 24th day of Dec. 1825, entitled an act to lay out a new county to be composed of parts of the counties of Wilkes, Warren, Hancock, Greene, and Oglethorpe, and to provide for the organization thereof.

The bill to incorporate the Jefferson Academy, in Newton county.

The senate resolved itself into committee of the whole on the bill to extend the charter of the bank of Augusta, and to authorise an increase of the capital Mr. Anderson in the chair.

The president resumed the chair, and Mr. Anderson reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill for the relief of John C. Gallman, a revolutionary soldier, Mr. Beall in the chair.

The president resumed the chair, and Mr. Beall reported the bill without amendment.

Ordered, That the report do lie on the table until called up.

The senate resolved itself into a committee of the whole on the bill to alter the 7th section of the 1st article of the constitution, so as to reduce the number of members of the house of representatives, Mr. Burney in the chair.

The president resumed the chair, and Mr. Burney reported the bill with amendment.

Ordered, That the report lie on the table.

The bill to separate and divorce Anna Moon and James Moon her husband—was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required are—yeas 40, nays 15.

Those who voted in the affirmative are,
Messrs.

Allen	Harman	Smith
Baker of Warren	Hendrick	Srawn
Beall	Hoxey	Teonille
Broadnax	Janes	Thomas
Brown of Camden	Lawson	Tippins
Brown of Hancock	Love	Walker
Brown of Monroe	Matthews	White
Burney	Powell of Rabun	Witt
Choise	Porter	Wellborn
Clayton of Clark	Powers	Williams
Coffee	Ray	Wimberly
Dyall	Scarborough	Wooten
Footman	Scarlet	Young
Frazer		

Those in the negative are,
Messrs.

Anderson	Clayton of Pulaski	Joice
Blackstone	Daniel	Knight
Blair	Foster	Sellers
Brown of Decatur	Groves	Wynn of Gwinnett
Lockman	Harris	Wynn of Hall

A message was received from the house of representatives, by Mr. Dawson, their clerk, informing the senate that the house of representatives had passed a bill to pardon Levi White—and

A bill to pardon Hugh Gallagher.

And he withdrew.

Mr. Groves, from the committee on enrollment, reported as duly enrolled and signed by the speaker of the house of representatives, An act to pardon Levi White.

And an act to pardon Hugh Gallagher.

Which were presented to and signed by the president of the senate.
Ordered, That the committee on enrollment do carry said acts to his excellency the Governor for his assent.

Mr. Matthews had leave to introduce instantler a bill to authorise and direct a further sale of lots in the town of Macon, and to enlarge the commons of the same.

Which was read the first time.

Mr. Williams, from the committee appointed, reported a bill to add part of the county of Washington to the county of Baldwin.

Which was read the first time.

On motion, the honorable senator from the county of Bryan has leave of absence for a few days.

On motion of Mr. Coffee,

Resolved, That the judiciary committee be instructed to enquire into the propriety of so amending the law as not to require parties defendants, to pay costs on indictments where *nolle prosequi's* are entered, contrary to the consent of such defendants and who demands their trials.

Mr. Strawn, from the committee appointed, reported a bill to alter the time of holding the superior courts of the Flint circuit, so far as respects the counties of Bibb, Monroe, Pike, and Fayette.

Which was read the first time.

Agreeably to notice, Mr. Foster moved for the appointment of a committee to prepare and report a bill to authorise the courts of ordinary of this State to grant writs of distribution on real estates, and to prevent suits brought by or against executors, administrators, and guardians, from abating upon the death or removal of either, and for other purposes.

Ordered, That Messrs. Foster, Clayton of Clark, and Burney, be that committee.

Agreeably to notice, Mr. Hoxey moved for the appointment of a committee to prepare and report a bill to authorise Zachariah H. Gordon to establish a ferry across Flint river, at the mouth of Big Potatoe creek, in Upson county.

Ordered, That Messrs. Hoxey, White, and Wynn of Hall, be the committee.

Mr. Hoxey, from the committee appointed, reported a bill to authorise Zachariah H. Gordon to establish a ferry across Flint river at the mouth of Big Potatoe creek, in Upson county.

Which was read the first time.

Mr. Scarborough, from the committee appointed, reported a bill to establish a ferry across Flint river, on fraction No. 178, in the first district in the county of Dooly, and to vest the right of said ferry in Wm. Lamkin and his heirs.

Which was read the first time.

Mr. Matthews laid on the table the following resolution:

Whereas, by an act of the General Assembly of this State, passed on the 24th day of Dec. 1825, entitled an act to incorporate the bank of Macon, it is provided that fifty thousand dollars of the capital stock of said bank shall be reserved until the first day of January, 1827, on the original terms, to be then or at any other prior time to be taken by the State, at the pleasure of the Legislature:

Be it resolved by the Senate and House of Representatives of the State of Georgia, That the Governor be, and he is hereby authorised and instructed to subscribe for said shares so reserved for the use of the State, agreeably to the provisions of the before mentioned act.

Wynn of Hall, from the committee appointed, reported a bill for an act, further defining the duty of collectors of taxes, passed 9th day of Dec. 1824. Which was read the first time.

Clayton of Clark, presented the petition of David Thurmond. It was read, and with its accompanying documents referred to committee on petitions.

On motion, the honorable senator from Clark was added to the committee on petitions.

Jones presented the petition of Henry McCall—Which was read and referred to a committee consisting of Messrs. Jones, Knight, Lawson.

The senate resolved itself into committee of the whole on the bill to amend the second section of the fourth article of the constitution, Mr. Blair in the chair.

President resumed the chair, and Mr. Blair reported the bill with amendment.

The senate took up and agreed to the report. The bill was read the third time.

On the question "shall this bill now pass?" it was determined affirmatively.

Yeas and nays being required are—yeas 50, nays 6.

Those who voted in the affirmative are,

Footman	Ray
Foster	Scarborough
Frazier	Span
Groves	Scarlet
Harmon	Sellers
Harris	Tennille
Hendrick	Thomas
Hoxey	Timpins
Janes	White
Joice	Welborn
Jones	Williams
Knight	Wimberly
Matthews	Wooten
Powell of McIntosh	Wynn of Gwinnett
Powell of Rabun	Wynn of Hall
Porter	Young
Powers	

Those who voted in the negative are,

Smith	Walker
Strawn	Witt

The senate resolved itself into committee of the whole, to alter and amend an act for appointing commissioners for altering the boundaries of the towns and commons of Brunswick and Fredrica; passed the 21st February, 1796, Mr. Blackstone in the chair:

The President resumed the chair, and Mr. Blackstone reported the bill with amendment.

The senate took up and agreed to the report.

And the bill was read the third time and passed.

The senate resolved itself into a committee of the whole on a bill to incorporate Crawfordville Academy, and appoint trustees for the same, Mr. Broadnax in the chair.

The president resumed the chair, and Mr. Broadnax reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

A message was received from his Excellency the Governor, by Pierce, his secretary, informing the senate that he had assented and signed two acts which originated in this branch of the Legislature, to wit:

An act to pardon Levi White—and

An act to pardon Hugh Gallagher.

Ordered, That the committee on enrollment do carry said acts to the secretary of states office, and see the great seal of the State affixed thereto.

The senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, November 25th, 1826.

Mr. Blair from the committee to whom was referred the memorial of Daniel Ledbetter, Reported,

That they had the same under consideration, and are of opinion that the prayer of the petitioner is reasonable, & ought to be granted. They therefore recommend that the sum of four hundred dollars be placed in the appropriation act for the use of said Ledbetter.

Mr. Blair, from the same committee, to whom was referred the petition of William H. Bonner and Joseph Watson, reported,

That they have had the same under consideration, and are of opinion that the prayer of the petitioners are reasonable and ought

ed. Your committee therefore recommend, that the sum of
hundred dollars be placed in the appropriation act for the use
aid Bonner and Watson.

h reports were read and ordered to lie on the table.

otion,
rable senators from the counties of Early and Pulaski, had
absence after to day for a few days.

Knight had leave to introduce instantler, a bill to fix on the
holding the Inferior courts in the county of Lowndes, and to
two additional commissioners to assist in fixing the public
the same.

ch was read the first time.

otion of Mr. Jones,

ved. That the sixty feet square on the commons of the town
ledgeville on which the bath house stands, be laid off, and that
and benefit thereof be vested in Henry Darnell for ten years.

otion,

honorablenator from the county of Upson had leave of ab-
or a few days after to-day.

Williams had leave to introduce instantler, a bill to legitama-
d change the name of Maria Elizabeth Breton, to that of Ma-
riabeth Humphrey.

ch was read the first time.

Brown, of Monroe, had leave to introduce instantler, a bill to
and separate Susannah Nelson & Elijah Nelson her husband.
ll to separate and divorce Elizabeth Travis and William Tra-
usband, and

ll to separate and divorce Elizabeth Flippin and William Flip-
usband.

ich were severally read the first time.

motion of Mr. Walker.

ved. That the judiciary committee enquire into the expedien-
so altering the penal code, so far as not to subject individuals
degrading and disgraceful punishment of confinement in the
itary at hard labor for such crimes as are not of a base and
it nature, such as manslaughter, assaults with intent to kill, &c.

following bills were read the second time and ordered for a
reading.

ill to add a part of the county of Washington to the county of
rin.

ll to alter the time of holding the Superior courts of the Flint
E so far as respects the counties of Bibb, Monroe, Pike and
te.

ill to authorise Zachariah H. Gordon to establish a ferry across
river in Upson county.

da bill to establish a ferry across Flint river on fraction No.

178. in the 1st district in the county of Dooly, and to vest of said ferry in William Lampkin and his heirs.

The following bills were read the second time and on committee of the whole.

A bill to form a new county out of parts of Houston and the second section of the newly acquired territory, and the same.

A bill to authorize and direct a further sale of lots in Macon, and to enlarge the commons of the same.

And a bill to repeal an act further defining the duty of of taxes, passed the 9th day of December, 1824.

The following bills were read the third time and passed.

A bill to incorporate the Independent Presbyterian church of St. Marys.

A bill to add the county of Upson to the third brigade or division of Georgia militia, and

A bill to change the name of Levi Satterwhite to that of Driver, and to legitimize the same.

The senate resolved itself into a committee of the whole on a bill to change and define the compensation of secretary, treasurer, surveyor general, and comptroller general, and each officer a permanent salary, Mr. Brown, of Camden, in the chair.

The president resumed the chair, and Mr. Brown reported and had leave to sit again.

The senate resolved itself into a committee of the whole on a bill to incorporate the town of Crawfordville in Taliaferro county, Mr. Lawson in the chair.

The President resumed the chair, and Mr. Lawson reported with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on a bill to repeal the 9th section of the 9th division of the penal code, Mr. Choice in the chair.

The President resumed the chair, and Mr. Choice reported and had leave to sit again.

The senate took up the report—when

On motion to lay the report on the table the balance of the session, it was determined in the affirmative.

And the yeas and nays being required, are yeas 33, nays

Those in the affirmative are,
Messrs.

Allen
Baker of Warren
Beall

Dyall
Groves
Harris

Scarlett
Smith
Tippins

Blackstone	Hoxey	White
Blair	Janes	Witt
Brown of Camden	Jones	Wellborn
Brown of Decatur	Knight	Williams
Brown of Hancock	Love	Wimberly
Brown of Monroe	Powell of Rabun	Wooten
Brockman	Powers	Wynn of Gwinnett
Barney	Scarborough	Wynn of Hall

Those in the negative are

Messrs.

Anderson	Frazer	Ray
Broadnax	Harman	Sellers
Boice	Hendrick	Strawn
Clayton of Clarke	Joice	Tennille
Clayton of Pulaski	Lawson	Thomas
Coffee	Powell of McIntosh	Walker
Daniel	Porter	Young

The senate resolved itself into a committee of the whole on the bill to repeal the 12th section of an act, entitled an act, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, passed the 9th day of June, 1825. Mr. Clayton, of Clarke in the chair.

The president resumed the chair, and Mr. Clayton reported that they had disagreed to the bill.

The senate took up the report—and

On motion to agree thereto, it was determined in the negative.

The yeas and nays being required are, yeas 24, nays 28.

Those who voted in the affirmative are,

Messrs.

Allen	Groves	Powers
Anderson	Harman	Sellers
Beall	Hoxey	Thomas
Brown of Hancock	Janes	Williams
Coffee	Jones	Wimberly
Daniel	Knight	Wooten
Dyall	Lawson	Wynn of Gwinnett
Frazer	Powell of McIntosh	Wynn of Hall

Those who voted in the negative are,

Messrs.

Baker of Warren	Clayton of Clarke	Smith
Blackstone	Clayton of Pulaski	Strawn
Blair	Hendrick	Tennille
Broadnax	Joice	Tippins
Brown of Camden	Love	Walker
Brown of Decatur	Powell of Rabun	White
Brown of Monroe	Porter	Witt

Brockman
Barney
Choice

Ray
Scarborough

Wellborn
Young

The bill was then read the third time.
And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required, are yeas 28, nays 24.

Those who voted in the affirmative are,

Messrs.

Baker of Warren
Blackstone
Blair
Broadnax
Brown of Camden
Brown of Decatur
Brown of Monroe
Buckman
Barney
Choice

Clayton of Clarke
Clayton of Pulaski
Hendrick
Joice
Love
Powell of Rabun
Porter
Ray
Scarborough

Smith
Strawn
Tennille
Tippins
Walker
White
Witt
Wellborn
Young

Those in the negative are,

Messrs.

Allen
Anderson
Beall
Brown of Hancock
Coffee
Daniel
Dyall
Frazer

Groves
Harman
Hoxey
Jones
Jones
Knight
Larson
Powell of McIntosh

Powers
Sellers
Thomas
Williams
Wimberly
Wooten
Wynn of Gwinnett
Wynn of Hall

The senate resolved itself into a committee of the whole on the bill to incorporate Louisa Grove academy in the county of Warren, and to appoint trustees for the same, Mr. Coffee in the chair.

The president resumed the chair, and Mr. Coffee reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed under the title of

A bill to appoint trustees of the poor school fund in the county of Warren, and to vest the funds of the Warren county academy in the same.

The senate resolved itself into a committee of the whole on the bill to extend the time for fortunate drawers in the land lotteries of 1818, 1819, and 1821, to take out their grants, and reduce the present price on lottery grants, Mr. Daniel in the chair.

The president resumed the chair, and Mr. Daniel reported the bill with amendment.

Ordered, That the report do lie on the table.

The senate resolved itself into a committee of the whole on the bill to amend the 3d section of an act to amend the judiciary of this

State, so far as respects justices of the peace, assented to 9th December, 1819, Mr. Brown, of Monroe, in the chair.

The president resumed the chair, and Mr. Brown reported the bill with amendment, and

On motion to lay the report on the table the balance of the session, it was determined in the affirmative.

The yeas and nays being required, are yeas 30, nays 23.

Those in the affirmative are,

Messrs.

Allen	Daniel	Sellers
Anderson	Dyall	Smith
Beall	Groves	Strawn
Broadnax	Harris	Thomas
Brown of Camden	Hendrick	White
Brown of Hancock	Hoxey	Witt
Brown of Monroe	Janes	Williams
Burney	Jones	Wimberly
Clayton of Clarke	Knight	Wooten
Cohee	Powers	Wynn of Gwinnett

Those in the negative are,

Messrs.

Baker of Warren	Harman	Scarborough
Blackstone	Joice	Tennille
Blair	Lawson	Tippins
Brown of Decatur	Love	Walker
Brockman	Powell of McIntosh	Wellborn
Choice	Powell of Rabun	Wynn of Hall
Clayton of Pulaski	Porter	Young
Frazer	Ray	

The following communication was received from his excellency the Governor, by Mr. Pierce, his secretary.

EXECUTIVE DEPARTMENT,
Georgia, 25th November, 1826. }

The document herewith transmitted, has just been received from the Department of War at Washington, and is explanatory of the letter addressed by the Secretary of War on the 17th day of March, 1817, to McIntosh and other chiefs of the friendly party, and confirmatory of the suggestion, that McIntosh and his party were the acknowledged sovereigns of the country to the exclusion of the hostile chiefs and their followers.

Signed,

G. M. TROUP.

Which with its accompanying document, was read and referred to the committee on the state of the republic.

The senate adjourned until Monday morning 10 o'clock.

MONDAY, November 27, 1826.

On motion of Mr. Powell of McIntosh,

The senate reconsidered so much of their journal of Saturday, as relates to the rejection of the bill to repeal the 9th section of the 9th division of the penal code.

Ordered, That said bill be recommitted to a committee of the whole.

On motion of Mr. Beall,

The senate reconsidered so much of their journal of Saturday, as relates to the passage of the bill to repeal the 12th section of an act entitled an act to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, passed the 9th day of June, 1825.

Ordered, That said bill be recommitted to a committee of the whole.

Mr. Tippins had leave to report instanter a bill to appoint trustees for the poor school fund in the county of Tatnall, and vest the fund of the Tatnall county academy in the same.

Which was read the first time.

Mr. Hoxey presented a petition from John Kimbrough, praying a participation in the approaching land lottery.

Which was read and referred to a committee consisting of Messrs. Hoxey, Janes, and Witt.

The following bills were severally read the second time and ordered to a third reading.

A bill to fix on the time for holding the inferior court in the county of Lowndes, and to appoint two additional commissioners to assist in fixing on the public site for the same.

A bill to separate and divorce Susannah Melson and Elijah Melson her husband.

A bill to separate and divorce Elizabeth Flippin and Wm. Flippin her husband.

A bill to separate and divorce Elizabeth Travis and William Travis her husband.

And a bill to legitimatise and change the name of Maria Elizabeth Breton, to that of Maria Elizabeth Humphrey.

The following bills were read the third time and passed :

A bill to add part of the county of Washington to the county of Baldwin.

A bill to alter the time of holding the superior courts of the Flint circuit, so far as respects the counties of Bibb, Monroe, Pike, and Fayette.

A bill to authorise Zachariah H. Gordon to establish a ferry across Flint river, in Upson county.

And a bill to establish a ferry across Flint river, on fraction No 178, in the 1st district in the county of Dooly and to vest the right of said ferry in Wm. Lamkin and his heirs.

The senate resolved itself into a committee of the whole on the bill to repeal an act, passed the 21st Dec. 1825, entitled an act to create a Board of Public Works, and provide for the commencement of a system of internal improvement, Mr. Groves in the chair.

The president resumed the chair, and Mr. Groves reported progress and had leave to sit again.

The senate resolved itself into committee of the whole, on the bill to sell and dispose of the land lying in the 12th and 13th districts, in the county of Ware formerly Appling county, Mr. Hendrick in the chair.

The President resumed the chair, and Mr. Hendrick reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time passed.

The senate resolved itself into a committee of the whole on the bill to repeal an act to establish election districts in the county of Dooly, passed the 25th Nov. 1824— Also to make permanent the site of the public buildings in said county, and to name the same, Mr. Hoxey in the chair.

The president resumed the chair, and Mr. Hoxey reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into committee of the whole, on the bill to give further time to purchasers of fractions, lots, or islands, at the late sale of the fractions, to pay for their lands, Mr. Harmon in the chair.

The president resumed the chair, and Mr. Harmon reported the bill with amendments.

Ordered, That the report lie on the table.

The senate resolved itself into committee of the whole, on the bill to authorise a lottery for the erection of three bridges, in the county of Newton, Mr. Frazer in the chair.

The President resumed the chair, and Mr. Frazer reported the bill without amendment.

The Senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to rent certain reserves and improvements, which may be on a survey, found to be fractions within the late acquired territory, Mr. Jones in the chair.

The president resumed the chair, and Mr. Jones reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill of the house of representatives, to authorise certain persons to plead and practice in the several courts of law and equity, in this State, on certain conditions, Mr. Lawson in the chair.

The president resumed the chair, and Mr. Lawson reported the bill with amendments.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to incorporate the Savannah, Ogeechee, and Alatomaha Canal Company, Mr. Knight in the chair.

The president resumed the chair, and Mr. Knight reported the bill with amendment.

The senate took up amended and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to divorce and separate Zebulon Rudolph and Eliza Rudolph his wife, Mr. Love in the chair.

The president resumed the chair, and Mr. Love reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?"

And the yeas and nays being required are—yeas 26, nays 22.

Those who voted in the affirmative are,

Messrs.

Baker of Warren	Frazer	Strawn
Beall	Harman	Tennille
Broadnax	Hendrick	Thomas
Brown of Camden	Jones	White
Brown of Monroe	Lawson	Wellborn
Cargille	Love	Williams
Choice	Powell of McIntosh	Wimberly
Clayton of Clark	Scarborough	Westen
Dyall	Scarlet	

Those in the negative are,

Messrs.

Allen	Groves	Ray
Anderson	Harris	Seilars
Black-tone	Hoxey	Smith
Blair	Knight	Walker
Brockman	Powell of Rabun	Witt

Burney
Coffee
Daniel

Porter
Powers

Wynn of Hall
Wynn of Gwinnett

There not being a constitutional majority, the bill was rejected.

The senate resolved itself into a committee of the whole, on the bill to divorce and separate Joseph Duke and Jane Duke his wife, Mr. Powell of Rabun, in the chair.

The president resumed the chair, and Mr. Powell reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required, are yeas 40, nays 8.

Those in the affirmative are,
Messrs.

Allen
Baker of Warren
Beall
Blackstone
Broadnax
Brown of Camden
Brown of Monroe
Burney
Cargille
Choice
Clayton of Clark
Coffee
Daniel
Dyall

Frazer
Groves
Harmon
Harris
Hendrick
Hoxey
Jones
Lawson
Love
Powell of Rabun
Porter
Scarborough
Scarlett

Sellers
Smith
Strawn
Tennille
Thomas
Walker
White
Witt
Wellborn
Williams
Wimberly
Wooten
Young

Those in the negative are,
Messrs.

Anderson
Blair
Brockman

Knight
Powell of McIntosh
Ray

Wynn of Gwinnett
Wynn of Hall

The president laid before the senate a communication from Lewis H. Kenan, Esq. Military Store Keeper.

Which was read, and with its accompanying exhibit referred to the joint military committee.

On motion of Mr. Sellers,

Resolved, That the joint committee on public education and free schools, be instructed to enquire, if any, and what alterations will be necessary in the poor school laws, with a view to enable new created counties to participate in their proportion of the poor school fund, where such counties have been laid out since the taking the late census of enumeration, and that they report by bill or otherwise.

On motion,

The honorable senator from the county of Baker, was added to the joint committee on public education and free schools.

A message was received from the house of representatives by Mr. Dawson their clerk, informing the senate, that the house had passed the following bills, to wit:

A bill to appropriate money to reimburse C. R. Parker, for taking the portraits of Washington, Franklin, Jefferson, Lafayette, and Glethorpe.

And a bill to incorporate the St. Andrews Society, of Augusta, Georgia. *

That the house had agreed to the amendment of the senate, to the bill of the house, entitled an act to alter and amend an act for appointing commissioners for ascertaining the boundaries of the towns and commons of Brunswick and Fredrica, passed Feb. 21st 1796.

That they had concurred in the resolution in behalf of James Houston, a revolutionary soldier.

And that they had agreed to a resolution in favor of Capt. James Smith, for having apprehended certain Africans, illegally introduced into this State.

To which they desire concurrence. And he withdrew.

On motion, the senate took up the message of the house of representatives, so far as to direct the bill to incorporate the St. Andrews Society, of the city of Augusta, Georgia, to be read the first time.

Mr. Brown of Monroe, had leave to introduce instantler a bill to amend an act, to sell and dispose of the State's interest in lots of land which have been, or may hereafter be, condemned as fraudulently drawn in the counties of Bibb, Houston, and others.

Which was read the first time.

On motion of Mr. Daniel,

Resolved, That the committee on public education and free schools be authorised to enquire into the propriety of educating, at the expense of the State, the children of convicts confined in the Penitentiary.

The senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, November 28th, 1826.

On motion of Mr. Broadnax,

The senate reconsidered so much of their journal of yesterday as relates to the passage of the bill to rent certain reserves and improvements, which may be on a survey found to be fractions within the late acquired territory.

Ordered, That said bill be re-committed to a committee of the whole.

On motion of Mr. Brown, of Camden,

The Senate reconsidered so much of the journal of yesterday as relates to the rejection of the bill to separate and divorce Zebulon Rudolph and Eliza Rudolph his wife.

Ordered, That said bill be re-committed to a committee of the whole.

The honorable senator elect from the county of Walton, appeared, produced his credentials, and being qualified by the president to support the constitution of this State and of the United States, took his seat.

The senate took up and agreed to the report of the committee of the whole on the bill to give further time to purchasers of fractions, lots or islands, and to those who may have forfeited their lands.

And the bill was read the third time and passed.

The senate took up the report of the committee of the whole on the bill of the house of representatives, to extend the time for fortunate drawers in the land lotteries of 1818, 1819, and 1821, to take out their grants, and reduce the present price on lottery grants, and

On motion of Mr. Powell, of McIntosh, to amend the 1st section of the bill by striking out the words "*twenty fifth of December*," and inserting in lieu thereof, the words "*first day of November*," it was determined in the negative.

The yeas and nays being required, are—yeas 16, nays 36.

Those in the affirmative are,

Messrs.

Brown of Decatur	Powell of McIntosh	Stokes
Clayton of Clark	Ray	Thomas
Daniel	Scarborough	Welborn
Dyall	Scarlett	Wooten
Footman	Sellers	Wynn of Gwinnett
Knight		

Those in the negative are,

Messrs.

Allen	Foster	Powell of Rabun
Anderson	Frazer	Porter
Baker of Warren	Groves	Smith

Beall	Harman	Strawn
Blair	Harris	Tennille
Broadnax	Hendrick	Walker
Brown of Camden	Janes	White
Brown of Hancock	Joice	Witt
Brown of Monroe	Jones	Williams
Brockman	Lawson	Wimberly
Burney	Love	Wynn of Hall
Choice	Mitchell	Young

The report being agreed to, the bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required, are yeas 42, nays 11.

Those in the affirmative are,
Messrs.

Allen	Frazer	Scarborough
Anderson	Groves	Sellers
Baker of Warren	Harman	Smith
Beall	Harris	Stokes
Blair	Hendrick	Strawn
Broadnax	Hoxey	Tennille
Brown of Camden	Janes	Walker
Brown of Hancock	Joice	White
Brown of Monroe	Jones	Witt
Brockman	Lawson	Wellborn
Burney	Love	Williams
Choice	Mitchell	Wimberly
Dyall	Powell of Rabun	Wynn of Hall
Foster	Porter	Young

Those in the negative are,
Messrs.

Brown of Decatur	Knight	Thomas
Clayton of Clark	Powell of McIntosh	Wooten
Daniel	Ray	Wynn of Gwinnett
Footman	Scarlett	

Ordered, That the secretary do return forthwith said bill to the house of representatives.

Mr. Clayton of Clarke, presented the petition of Thompson Shepherd, proposing to lease of this State for 5 years, the Indian Spring.

Which was read and referred to a committee consisting of messrs. Clayton, of Clarke, Burney, and Brown, of Monroe.

Mr. Walker from the committee on the state of the republic, Reported,

That they have had under consideration the resolution submitted to them, directing an enquiry into the expediency of again applying

to the general government to renew the negotiation with the Cherokee Indians, with a view to extinguish the title to the lands in their possession within the limits of Georgia—And also of enquiring into the propriety of requesting the general government to propose a treaty allowing the Indians reservations, not to exceed one sixth of the territory acquired, subject to be afterwards purchased for the use of Georgia.

Upon the best reflection which the committee have been able to bestow upon this subject, they entertain an opinion which is without division among them, that the extinguishment of the Indian title to all the lands within the limits of Georgia, is a matter not only of constant but of urgent expediency. This question has been so repeatedly presented to the General Government, and the wishes of the State pressed upon its attention under such a diversity of aspects, as to render, at this time, a detailed exhibit of its views entirely unnecessary. It would seem that little else was required to be said, than what would serve to relieve the general government of whatever solicitude might be felt from having a subject so often and so unfortunately brought to its consideration. The respect which the State owes itself, and which it certainly entertains for the general government would, in courtesy, require the declaration that whatever else may be thought to belong to this application, nothing is further from its intention, than a spirit of captiousness or a restless impatience under repeated disappointments. The State has always believed its claim perfectly just, and acting under the honest confidence which unquestionable right never fails to inspire, it acknowledges, that every occasion has been sought openly but frankly, to avow that no demand could be better for itself with motives for its speedy satisfaction, than that which we have so long and so abortively urged, and therefore the frequency of our attempts to bring this matter to a final adjustment.

If now, by adding another essay to those which have gone before, and which have proved so untoward in their issue, any thing of clamor or resentful discontent should be supposed to exist in this appeal, we are ready to give the assurance, that nothing can be more foreign from its temper, and in a fair interpretation of its design, nothing could be more widely misunderstood.

We believe that circumstances of recent origin in the Cherokee nation, which from prudential considerations, need not now be mentioned, render at this time another effort to obtain the country more suspicious, than any which have heretofore been made, or which can hereafter be made with any well grounded hope of success, if the present occasion is permitted to pass away unimproved. But when to these indications, so highly favoring the view of a prosperous negotiation, there is added, as we conceived, the influence and effect which extensive reserves are calculated to have among Indians of a certain character, little doubt is entertained of a result altogether satisfactory to the reasonable wishes of Georgia. To the general government, possessed as it is of a full knowledge of the state and condition of the Indian nation, the power and avarice of certain characters who control its affairs, and the causes which have hitherto

Onward the measures designed to fulfil her engagement with Georgia, it cannot be necessary to suggest the efficient agency which this course must have, in any future operations of the government seeking to realize the just expectations of the State ; expectations which, though the subject of repeated complaint, find some justification in an unusually protracted postponement.

Under this view of the subject, your committee recommend the following resolutions, to-wit :

Resolved, That the president of the United States be requested to take such steps as are usual, and as he may deem expedient and proper for the purpose of and preparatory to the holding of a treaty with the Cherokees Indians, the object of which shall be to extinguish the title to all or any part of the lands now in their possession, within the limits of Georgia.

Resolved, That if such treaty be held, the President be respectfully requested to instruct the commissioners to grant, if necessary, to facilitate a successful completion of the same reserves of land, in favor of certain Indians of the nation, not to exceed one sixth of the territory to be acquired, and to be subject to future purchase by the general government for the exclusive benefit of Georgia.

Resolved, That his excellency the Governor, be requested to forward a copy of the foregoing report and resolutions to the President of the United States, and one to our senators and representatives in Congress, with a request that they use their best exertions to obtain the object therein expressed.

Which was read and unanimously agreed to.

The senate took up the report on the petition of John Screven, which was amended to read as follows :

The committee to whom was referred the petition of John Screven Esq. praying the payment of certain bills of credit issued in 1786 by authority of this State, for the redemption of which in gold and silver, "the guarantee of the honor and faith of Georgia was given,

REPORTED,

That the demand of John Screven is just and ought to be paid, and recommend the adoption of the following resolution :

Resolved, That the sum of two thousand six hundred and seventy nine dollars and ninety-six cents, be placed in the appropriation act for the redemption of certain bills of credit issued by authority of this State in 1786, now owned by John Screven, Esq. And upon the certificate of George Jones the treasurer at the time, and whose signature is to the bills of credit that he has examined, believes the said bills of credit now owned by John Screven, Esq. to be good and genuine bills ; the treasurer of the state shall be and he is hereby authorized to receive and pay the same ; provided they do not exceed the amount claimed to be paid, viz :

Three hundred of twenty shillings.

One hundred and sixty of ten shillings.

Four hundred and three of five shillings.

Two hundred and forty-nine of two shillings and sixpence.
 Two hundred and thirteen of one shilling.
 And one hundred and ten of sixpence.
 Making in the whole the sum of six hundred and twenty five
 pounds five shillings and sixpence.
 On motion to agree to the report as amended, it was determined in
 negative.

The yeas and nays being required, are yeas 21, nays 30.

Those who voted in the affirmative are,
 Messrs.

ten	Footman	Porter
padnax	Foster	Ray
own of Camden	Harman	Sellers
own of Monroe	Harris	Tennille
raey	Hoxey	Thomas
lyton of Clarke	Lawson	Walker
niel	Powell of McIntosh	Wynn of Gwinnett

Those in the negative are,
 Messrs.

derson	Groves	Stokes
ker of Warren	Hendrick	Strawn
ill	Janes	White
ir	Jones	Witt
own of Decatur	Knight	Wellborn
own of Hancock	Love	Williams
ckman	Mitchell	Wimberly
vice	Powell of Rabun	Wooten
all	Scarborough	Wynn of Hall
zer	Smith	Young

The bill to appoint trustees for the poor school fund in the county
 Tattnall, and vest the funds of the Tattnall county academy in
 same, and

The bill to incorporate the St. Andrews society of the city of Au-
 sta, Georgia.

Were read the second time and ordered for a third reading.

The bill to amend an act to sell and dispose of the State's interest
 in lands which have been or may hereafter be condemned as
 adulterously drawn in the counties of Bibb, Houston, and others.

Was read the second time and ordered for committee of the whole.

The following bills were read the third time and passed.

The bill to fix on the time for holding the Inferior courts in the county
 of Lowndes, and to appoint two additional commissioners to assist
 in selling the public site for the same

The bill to legitimize and change the name of Maria Elizabeth
 Thompson to that of Maria Elizabeth Humphrey.

And the bill to separate and divorce Susannah Melson and Elijah
 Melson her husband.

Was read the third time, and on the passage of the bill, the yeas and nays being required, it was determined in the affirmative.

The yeas and nays being required, are yeas 33, nays 11.

Those who voted in the affirmative are,
Messrs.

Allen	Frazer	Stokes
Baker of Warren	Harris	Strawn
Beall	Hendrick	Thomas
Broadnax	Janes	Walker
Brown of Camden	Jones	White
Brown of Decatur	Lawson	Witt
Brown of Monroe	Love	Wellborn
Brockman	Porter	Williams
Burney	Scarborough	Wimberly
Choice	Scarlett	Wooten
Footman	Smith	Young

Those in the negative are,
Messrs.

Anderson	Groves	Sellers
Blackstone	Joice	Wynn of Gwin
Blair	Knight	Wynn of Hall
Foster	Powell of Rabun	

The senate resolved itself into a committee of the whole bill to amend the act, entitled an act, amendatory of an act, the 9th day of June, 1825, to dispose of and distribute the lately acquired by the United States for the use of Georgia Creek nation of Indians by a treaty made and concluded at Indian Spring on the 12th day of February, 1825. Mr. Powell of took in the chair.

The president resumed the chair, and Mr. Powell reported with an amendment.

The senate took up the report by sections, when Mr. Powell moved to insert the following as a fifth section of the act to wit:

And be it further enacted, That all unmarried and single females who are not widows of the age of eighteen years and upwards who are citizens of the United States, and have resided three years in this State, and have not drawn in any former land lottery, be entitled to one draw upon taking the following oath or affirmation to-wit:

"I, A. B. do solemnly swear or affirm, (as the case may be) I am a citizen of the United States, have resided three years in this State, have not drawn land in any former land lottery, and I arrived at the age of eighteen years."

And on the question to agree to said amendment, it was determined in the negative.

And the yeas and nays being required, are yeas 21, nays 30.

Those in the affirmative are,
Messrs.

Harman
Harris
Hendrick
Hoxey
Janes
Jones
Knight

Powell of McIntosh
Porter
Ray
Stokes
Tennille
Walker
Wynn of Hall

Those in the negative are,
Messrs.

Dyall
Frazer
Groves
Joice
Lawson
Love
Mitchell
Powell of Rabun
Sellers
Smith

Strawn
Thomas
White
Witt
Wellborn
Williams
Wimberly
Wooten
Wynn of Gwinnett
Young

Mr. Wynn, of Hall, then moved to amend the report, by inserting following as a fifth section, to wit:

And be it further enacted, That no illegitimate child or children have any further privilege or right to give in for a draw or wa."

And the yeas and nays being required on agreeing thereto, are,
Yeas 20, nays 31.

Those in the affirmative are,
Messrs.

Dyall
Harris
Janes
Knight
Powell of McIntosh
Powell of Rabun
Scarlett

Thomas
Witt
Wimberly
Wynn of Gwinnett
Wynn of Hall
Young

Those in the negative are,
Messrs.

Groves
Harman
Hendrick
Hoxey
Joice
Jones
Love
Mitchell
Porter
Ray

Sellers
Smith
Strawn
Tennille
Tippins
Walker
White
Wellborn
Williams
Wooten

The following further proposed amendment being under consideration, to-wit :

On motion of Mr. Williams.

"And be it further enacted, That the benefit intended to be given by this act to revolutionary soldiers, shall be extended to all who furnished substitutes during said revolutionary war."

On motion of Mr. Brockman.

"And be it further enacted, That all female orphans between ages of eighteen and twenty one years, and who have resided three years in this State immediately preceeding the first day of January 1827, shall be entitled to one draw."

On motion of Mr. Daniel.

"And be it further enacted, That the drawing of the aforesaid lottery shall commence as soon as it may be convenient, and that draws which shall be received at the Executive Department after commencement of said drawing, shall be placed in the wheel."

Mr. Groves moved that the previous question be taken.

And on the question "shall this main question be now put?" it was determined in the affirmative.

And the yeas and nays being required, are yeas 32, nays 21.

Those in the affirmative are,

Messrs.

Allen	Dyall	Scarlett
Anderson	Groves	Smith
Baker of Warren	Harris	Strawn
Beall	Hendrick	Thomas
Blair	Hoxey	Tippins
Broadnax	Joice	Walker
Brown of Camden	Knight	White
Brown of Decatur	Love	Wimberly
Brown of Hancock	Powell of McIntosh	Wynn of Hall
Brown of Monroe	Powell of Rabun	Young
Choice	Porter	

Those in the negative are,

Messrs.

Brockman	Harman	Sellers
Burney	Janes	Tennille
Clayton of Clarke	Jones	Witt
Daniel	Lawson	Wellborn
Footman	Mitchell	Williams
Foster	Ray	Wooten
Frazer	Scarborough	Wynn of Gwinnett

Whereupon the report being agreed to, the bill was read the third time and passed.

Mr. Clayton, of Clarke, from the committee appointed, reported a bill to amend the first section of an act, entitled an act, to amend

and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the city of Savannah and the hamlets thereof, and for other purposes therein mentioned ; passed the 24th day of December, 1825,

Which was read the first time.

Mr. Wynn, of Gwinnett, from the committee appointed, reported a bill to extend the jurisdiction in all cases to the chartered limits of the State of Georgia, and for other purposes.

Which was read the first time.

Mr. Porter had leave to report instanter, a bill to authorize the present tax collector of the county of Baker, to collect the tax due the citizens of said county for the year 1825.

And a bill to add the academy fund to which the county of Baker is entitled, to the poor school fund of said county, and fifty-one dollars sixty two and a half cents of the poor school fund to which the county of Early was entitled for the years 1824 and 1825 to the same.

Which were read the first time.

The senate took up the message of yesterday from the house of representatives, and the resolution authorising the Governor to purchase and furnish the commanding officers of divisions, brigades, regiments, battalions and companies, one copy each of the late approved discipline of infantry tactics which has been adopted for the United States army ; also, one copy to each of the general officers of the rules and regulations adopted by the War Department for the government of the army of the United States.

Was read and concurred in.

And the bill to appropriate money to reimburse C. R. Parker for the taking of the portraits of Washington, Franklin, Jefferson, Lafayette, and Oglethorpe.

Was read the first time.

Ordered, That the remainder of the message do lie on the table.

Mr. Burney laid on the table the following resolutions :

Whereas, It is a fundamental maxim in the system of the American government, that all powers vested in the same emanate directly from the people, and that it is their undeniable right as freemen to effect in a legitimate manner such changes or alterations in the great charter of their liberties, as they in their wisdom may deem best calculated to promote the general good.

And whereas, As this legislature believes that past events demonstrate the wisdom and propriety of an amendment in the constitution of the United States, so as to take from Congress the election of President and Vice President.

Be it therefore resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That our senators be instructed, and our members be requested to use their ablest exertions to promote such an alteration in the constitution of the U. States, as to give to the people without the interposition of Congress, the election of President and Vice President of the United States.

Resolved further, That his excellency the Governor be requested to forward to each of our senators and representatives in Congress a copy of the foregoing preamble and resolutions.

The senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, November 29, 1825.

On motion of Mr. Daniel, to reconsider so much of the journal yesterday, as relates to the disagreement of the senate to the report of the committee on the petition of John Screven, Esq.—it was determined in the affirmative.

The yeas and nays being required are—yeas 30, nays 21.

Those who voted in the affirmative are,

Messrs.

Allen	Daniel	Ray
Beall	Footman	Scarborough
Broadnax	Foster	Scarlet
Brown of Camden	Harman	Sellers
Brown of Monroe	Harris	Tennille
Brockman	Hexey	Thomas
Burney	Janes	Tippins
Cargille	Joice	Walker
Clayton of Clark	Lawson	Wellborn
Coffee	Powell of McIntosh	Wynn of Gwinnett

Those in the negative are,

Messrs.

Anderson	Jones	White
Baker of Warren	Love	Witt
Blackstone	Mitchell	Williams
Blair	Powell of Rabun	Wimberly
Choice	Smith	Wooten
Groves	Stokes	Wynn of Hall
Hendrick	Strawn	Young

Ordered, That said report lie on the table.

On motion of Mr. Coffee,

The senate reconsidered so much of their journal of yesterday, relates to the passage of the bill to amend an act entitled an act

mandatory of an act, passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs, on the 12th day of Feb. 1825.

Ordered. That said bill lie on the table.

The honorable senator from the county of Madison, had leave of absence after to-day, for a few days.

On motion of Mr. Sellers,

The senate resolved itself into a committee of the whole on the bill to repeal an act, passed the 21st Dec. 1825, entitled an act to create a Board of Public Works, and provide for the commencement of a system of internal improvement, Mr. Foster in the chair.

The president resumed the chair, and Mr. Foster reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed under the title of A bill to repeal an act entitled an act to create a Board of Public Works, and to provide for the commencement of a system of internal improvement, passed the 21st of Dec. 1825—And also to repeal an act entitled an act to lay out a Central Canal or Railway through this State, passed the 24th Dec. 1825.

And the yeas and nays being required are—yeas 43, nays 13.

Those in the affirmative are,
Messrs.

Anderson	Groves	Stokes
Baker, of Warren	Harman	Strawn
Beall	Hendrick	Tennille
Blackstone	Hoxey	Thomas
Blair	Janes	Tippins
Broadnax	Jones	White
Brown of Camden	Knight	Witt
Brown of Monroe	Love	Wellborn
Brookman	Mitchell	Williams
Burney	Powell of Rabun	Wimberly
Cargille	Ray	Wooten
Choice	Scarborough	Wynn of Gwinnett
Clayton of Clark	Sellers	Wynn of Hall
Foster	Smith	Young
Frazer		

Those who voted in the negative are,
Messrs.

Allen	Footman	Powell of McIntosh
Brown of Decatur	Harris	Porter
Coffee	Joice	Scarlett
Daniel	Lawson	Walker
Dyall		

Mr. Clayton of Clark, from the judiciary committee, to whom was referred the correspondence of his Excellency the Governor, with the Cherokee Agent, on the subject of Boundary—Reported,

That they have had the same under consideration, and are happy to find that all the difficulties which were likely to arise upon that subject, are now amicably settled—Wherefore they pray to be discharged from the further consideration of the subject.

Which was read and agreed to.

Mr. Clayton of Clark, from the same committee, to whom was referred so much of the Governor's message as relates to the propriety *at this time*, of exercising our right of jurisdiction, both civil and criminal, over the territory occupied by the Cherokees within the chartered limits of Georgia—Reported,

That they have found no little difficulty in coming to a decision upon this subject. While your committee are anxious to reclaim those idle and profligate wretches, who have fled to this great repository of vice—and to impose upon them such burdens as would constrain them to seek a more exalted destiny—they are fully apprehensive that difficulties might arise of a serious and perplexing character. And when they take into consideration the exposed and defenceless condition of a large portion of our frontier, they are of the opinion, that for the present year, we had better not hazard a policy of such dangerous tendency; and earnestly hope, that the Government will in the mean time, save the State from the necessity of resorting to this alternative by effecting a speedy removal of these ill-fated and unhappy people from our soil.

Which was read and ordered to lie on the table.

Mr. Clayton of Clark, from the same committee, to whom was referred the propriety of passing a law adopting the laws heretofore passed, and the proceedings under an act for the disposition and distribution of the lands acquired, by a treaty concluded at the Indian Springs, 1825, reported the following resolution:

Resolved, That no legislation on the subject of distribution of the lately acquired territory, is necessary to render more valid the act of June, 1825.

Which was read and ordered to lie on the table.

Mr. Hoxey presented the memorial of Col. Joel Baley—Which was read and referred to a committee consisting of Messrs. Hoxey, Daniel, and Tennille.

Mr. White notified the senate, that after to day, he would move for the appointment of a committee to prepare and report a bill to divide the county of Upson into election districts.

Mr. Coffee presented the report of the commissioners of the southern rivers of this State.

Which was read and with its accompanying documents referred to the joint committee on agriculture and internal improvement.

The bill to authorise the present tax collector, of the county of Baker, to collect the tax due from the citizens of said county, for the year 1825—and

The bill to appropriate money to reimburse C. R. Parker, for taking the portraits of Washington, Franklin, Jefferson, Lafayette, and Oglethorpe—were read the second time and ordered for a third reading.

The following bills were read the second time and ordered for committee of the whole.

The bill to add the academy fund, to which the county of Baker is entitled, to the poor school fund of said county, and fifty one dollars sixty-two and a half cents of the poor school fund to which the county of Early was entitled for the years 1824 and 1825, to the same.

The bill to extend the jurisdiction in all cases to the chartered limits of the State of Georgia, and for other purposes.

And the bill to amend the 1st section of an act entitled an act to amend and to consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the city of Savannah, and the hamlets thereof, and for other purposes therein mentioned, passed the 24th day of Dec. 1825

The bill to incorporate the St. Andrews Society, of the city of Augusta, Georgia.

And the bill to appoint trustees for the poor school fund in the county of Tatnall, and vest the funds of the Tatnall county academy in the same—were read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to change and define the compensation of Secretary of State, Treasurer, Surveyor-General, and Comptroller-General, and to give to each officer a permanent salary, Mr. Tennille in the chair.

The president resumed the chair, and Mr. Tennille reported the bill with amendment.

The senate took up the report.

And on motion of Mr. Jones, to strike out \$2000 as a compensation to the Secretary of State for his services,

The yeas and nays being required are—yeas 27, nays 27.

Those in the affirmative are,
Messrs.

Allen	Foster	Tennille
Anderson	Frazer	Walker
Blair	Groves	White
Broadnax	Jones	Wellborn
Brown of Hancock	Powell of McIntosh	Williams
Brown of Monroe	Powell of Rabun	Wooten
Brockman	Porter	Wynn of Gwinnett
Burney	Scarborough	Wynn of Hall
Coffee	Scarlet	Young

Those in the negative are,
Messrs.

Baker of Warren	Harmon	Ray
Beall	Harris	Sellers
Brown of Camden	Hendrick	Smith

Brown of Decatur	Hoxey	Stokes
Choice	Janes	Strawn
Clayton of Clark	Knight	Thomas
Daniel	Lawson	Tippins
Dyall	Love	Witt
Footman	Mitchell	Wimberly

The president voting in the negative, it was determined in the negative.

The report being agreed to—the bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required are—yeas 34, nays 25.

Those in the affirmative are,
Messrs.

Anderson	Harris	Smith
Baker of Warren	Hendrick	Stokes
Beall	Hoxey	Tennille
Brown of Camden	Janes	Thomas
Brown of Decatur	Johns	Tippins
Brockman	Knight	Witt
Choice	Lawson	Williams
Clayton of Clark	Love	Wimberly
Daniel	Ray	Wynn of Gwinnett
Dyall	Scarborough	Wynn of Hall
Footman	Sellers	Young
Harmon		

Those in the negative are,
Messrs.

Allen	Foster	Porter
Blair	Fazer	Scarlet
Broadnax	Groves	Strawn
Brown of Hancock	Joice	Walker
Brown of Monroe	Mitchell	White
Burney	Powell of McIntosh	Wellborn
Coffey	Powell of Rabun	Wooten

The senate resolved itself into a committee of the whole on the bill to define how far widows shall be entitled to dower in this State, and the time when their right to the same shall accrue, Mr. Janes in the chair.

The president resumed the chair, and Mr. Janes reported the bill without amendment.

Ordered, That said report lie on the table.

The senate resolved itself into a committee of the whole, on the bill to compel persons owning settled plantations and negroes in the county of Bryan, to pay taxes on said property in said county, Mr. Strawn in the chair.

The president resumed the chair, and Mr. Strawn reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required are—yeas 30, nays 23.

Those in the affirmative are,
Messrs.

Anderson	Dyall	Powell of Rabun
Baker of Warren	Footman	Ray
Blair	Groves	Scarlet
Brown of Camden	Harman	Smith
Brown of Decatur	Hoxey	Tennille
Brown of Monroe	Janes	Tippins
Brockman	Jones	Witt
Burney	Knight	Williams
Choice	Lawson	Wimberly
Clayton of Clark	Mitchell	Wynn of Gwinnett

Those in the negative are,
Messrs.

Allen	Harris	Thomas
Beall	Hendrick	Walker
Broadnax	Joice	White
Brown of Hancock	Powell of McIntosh	Wellborn
Coffee	Scarborough	Wooten
Daniel	Sellers	Wynn of Hall
Foster	Stokes	Young
Frazer	Strawn	

The senate resolved itself into a committee of the whole, on the bill to authorise the justices of the inferior court of Gwinnett county to remit a forfeiture incurred by Samuel Ellison, Mr. Porter in the chair.

The president resumed the chair, and Mr. Porter reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to separate and divorce Cordy D. Stokes and Theny Stokes his wife, Mr. Broadnax in the chair.

The president resumed the chair, and Mr. Broadnax reported the bill without amendment.

The Senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the bill, the yeas and nays being required, it was determined in the affirmative. The yeas 39, nays 15.

Those in the affirmative are,
Messrs.

Allen	Groves	Smith
Baker of Warren	Harman	Strawn
Beall	Hendrick	Tennille
Broadnax	Hoxey	Thomas
Brown of Camden	Janes	Tippins
Brown of Monroe	Jones	Walker
Burney	Lawson	White
Choice	Love	Witt
Clayton of Clark	Powell of Rabun	Wellborn
Coffee	Porter	Williams
D. all	Ray	Wimberly
Footman	Scarborough	Wooten
Frazer	Scarlet	Young

Those in the negative are,
Messrs.

Anderson	Daniel	Mitchell
Blackstone	Foster	Powell of McIntosh
Blair	Harris	Sellers
Brown of Decatur	Joice	Wynn of Gwinnett
Brockman	Knight	Wynn of Hall

The senate resolved itself into committee of the whole on the bill to appoint trustees for the poor school fund for the county of Lowndes and vest the funds of the Lowndes county academy in the same, Mr. Scarlet in the chair.

The president resumed the chair, and Mr. Scarlet reported the bill without amendment.

The senate took up and agreed to the report.

And the bill read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to separate and divorce Dennet Taylor and Cynthia his wife, Mr. Smith in the chair.

The president resumed the chair, and Mr. Smith reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the same, the yeas and nays being required it was determined in the affirmative. The yeas are 39, nays 12.

Those in the affirmative are,
Messrs.

Allen	Frazer	Stokes
Baker of Warren	Harmon	Strawn
Beall	Hendrick	Tennille
Broadnax	Hoxey	Thomas
Brown of Camden	Janes	Tippins
Brown of Decatur	Lawson	Walker
Brown of Monroe	Love	White

Burney	Powell of Rabun	Witt
Choice	Porter	Wellborn
Clayton of Clark	Ray	Williams
Coffee	Scarborough	Wimberly
Dyall	Scarlet	Wooten
Footman	Smith	Young

Those in the negative are,
Messrs.

Anderson	Foster	Mitchell
Blair	Harris	Powell of McIntosh
Brockman	Joice	Wynn of Gwinnett
Daniel	Knight	Wynn of Hall

The senate resolved itself into a committee of the whole on the bill to separate and divorce Patsey Crocket and Elias Crocket her husband, Mr. Wellborn in the chair.

The president resumed the chair, and Mr. Wellborn reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the same, the yeas and nays being required, it was decided in the affirmative. The yeas are 38, the nays 14.

Those in the affirmative are,
Messrs.

Allen	Frazer	Stokes
Baker of Warren	Harmon	Strawn
Ball	Hendrick	Thomas
Bradna	Hoxey	Tippins
Brown of Camden	Jones	Walker
Brown of Decatur	Lawson	White
Brown of Monroe	Love	Witt
Burney	Powell of McIntosh	Wellborn
Choice	Powell of Rabun	Williams
Clayton of Clark	Porter	Wimberly
Coffee	Scarborough	Wooten
Dyall	Scarlet	Young
Footman	Smith	

Those in the negative are,
Messrs.

Anderson	Harris	Ray
Blair	Janes	Sellers
Brockman	Joice	Wynn of Gwinnett
Daniel	Knight	Wynn of Hall
Foster	Mitchell	

The Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, November 30, 1826.

The honorable senator from the county of Camden, had leave of absence until Monday next.

The honorable senators from Jasper, Twiggs, and Houston, had leave of absence after to day for a few days.

Mr. Clayton of Clark, from the committee to whom was referred the proposition of Mr. Thompson Shepherd—Reported,

That they have had the same under consideration, and that inasmuch as there is another proposition for the same property, they recommend that the Governor be authorised and requested to appoint some fit and proper person to lease out said property to the highest bidder, at the Spring, for the term of — years—the person appointed first giving thirty days notice of the time and place of said leasing.

Which was read and ordered to lie on the table.

On motion of Mr. Hoxey,

The senate took up the report of the committee on the petition of Susan Sturgess widow of Daniel Sturgess, late Surveyor General, allowing her the sum of four hundred and sixty five dollars, for services of her deceased husband.

Which was read and agreed to.

Mr. Blackstone presented the petition of a number of citizens of Crawford county, relative to the right of Aven Floyd and John Rolen to draws in the approaching land lottery

Which was read and referred to a committee consisting of Messrs. Blackstone, Witt, and Walker.

The senate took up the report and resolution from the house of representatives, upon the petition of Samuel Brooks, Esq. one of the sectional surveyors.

Which was read and amended to read as follows :

Whereas, it appears the said Brooks was stopped, and the progress of his survey suspended by a party of Indians, for the space of 22 days on expences.

Resolved therefore, That the said Samuel Brooks, Esq. be, and he is hereby, compensated for his time lost and expences, in the sum of 96 dollars, and that the same be inserted in the appropriation act—And to John T. Forth a sectional surveyor, the like sum, he having been similarly situated.

Which was read and unanimously disagreed to.

Mr. Foster from the committee appointed, reported a bill to give the inferior court of this State, while sitting for ordinary purposes, concurrent jurisdiction with the superior court in granting writs of partition to writs of dower, and to prevent suits brought by or against executors, administrators, and guardians, from abating at the death of either, and for other purposes.

Which was read the first time

Mr. Coffee agreeably to a notice of Mr. White, moved for the appointment of a committee to prepare and report a bill to divide the county of Upson into election districts.

Ordered, That messrs. Coffee, Blackstone, and Broadnax, be that committee.

On motion of Mr. Clayton of Clark,

Resolved, That the solicitor general of the Ocmulgee circuit be, and he is hereby, instructed to suspend all proceedings on the part of the State, against Wm. W. Brown, for the term of one year from the first day of January next, for the amount due the State by said Brown for one year's rent of the ferry across the Ocmulgee river, at Macon: *Provided*, the said Wm. W. Brown shall pay the interest due on said debt, and that he give further security, if required by the aforesaid solicitor general: *And provided*, that nothing herein contained, shall prevent the immediate collection of said debt, if the securities already found, do urge the same.

Mr. Walker, from the joint committee on the State of the Republic, to whom was referred so much of the message of his Excellency the Governor, as relates to the dividing line between this State and Alabama, having carefully examined the accompanying documents—*Reported*,

That in conformity with the resolution of the General Assembly, the Governor on the 25th June last, appointed Richard Blount, Joel Crawford, and Everard Hamilton, Esqrs. Commissioners to run the dividing line between this State and Alabama, agreeably to the stipulations of the first article of agreement and cession entered into between the United States and Georgia, on the 16th of June, 1802—and that Messrs. Blount, Crawford, & Hamilton, accompanied by a skilful mathematician, the engineer of the State, a surveyor, and a competent number of laborers, and every way prepared to execute the purpose of their appointment, attended at the time and place previously agreed on by the Governor's of the respective States, and were met by one only of the Commissioners on the part of Alabama. As the attending commissioner from Alabama declined, while his colleague was absent, to enter into a discussion as to the place from which the line should commence—the only point of difficulty—it was agreed to run a random line from a bend in the Chattahoochie near Fort Mitchell, to Nickajack, when it was expected every thing preliminary to the actual demarcation of the line would be adjusted.

This random line was run; and at Nickajack the absent commissioner of Alabama having arrived, an exchange of powers by the respective parties took place, and a discussion was entered into on the subject of the exact point of departure from the Chattahoochie. It had been ascertained by actual survey in running the random line, that the first great bend in the river, next above the mouth of the Jchee, from which a right line would run to Nickajack without touching the river, was the Big Shoal or Miller's Bend; and this the commissioners on the part of Georgia contended was the bend at which

the line should begin. The commissioners of Alabama considering the Uchee as an unimportant circumstance in ascertaining the point of departure, insisted on the great bend, where the direction of the river is changed from south west to south, as the place of beginning, and rested their arguments on the facts that the Cussetah and Coweta towns are above the Uchee, and that above Miller's Bend and below the great bend named by them, there is a stream emptying into the Chattahoochie on the western side, called the We hat kee, said best to answer the description of Uchee mentioned in the articles of cession. This discussion having continued for some time, and it being pretty well ascertained that neither party would recede from the position assumed, the commissioners of Georgia gave notice to those of Alabama, that they should terminate a conference which was likely to prove so fruitless, and proceed to run the line to the Big Shoal or Miller's Bend, which they accordingly did, unaccompanied by the commissioners of Alabama. It is deeply to be regretted that there should exist such ambiguity in the articles of cession, as to leave any doubt on the subject of boundary; a subject in which the least uncertainty is always embarrassing—but your committee believe this ambiguity which evidently arose from the imperfect knowledge had by the commissioners who negotiated the cession of 1802, of the topography of the country through which the line was to run and of the relative situation of Nickajack and the other extreme of the line, is not so great but that the meaning of the parties to that instrument may be arrived at with sufficient certainty.

Previous to the cession of 1802, the western limit of Georgia was Mississippi river; but the people of Georgia contemplating a sale to the United States of a part of their western territory, and desirous of fixing permanently the bounds which should limit the power of the Legislature to sell and dispose of their territory, and of establishing permanently the boundaries of the State, carefully expressed in the Constitution of 1798 what those limits and boundaries should be.—By a reference to the 23d section of the 1st article of the Constitution, it is seen that the whole of the Chattahoochie is reserved to Georgia. This, which is the supreme law of the State, must have been known to the commissioners who negotiated the cession of 1802; and it is fair to presume reference was had to it, for we find that though they depart from the authority and power given by the acts of 1799 and 1800 on that subject, yet they adhere to the provisions of the Constitution, and cautiously preserve to Georgia the whole of the Chattahoochie river.

The commissioners in their negotiations having pursued a medium course between what was prescribed by the acts of 1799 and 1800 and regarded the Constitution under which those acts were passed, may be presumed apart from all other evidence, to have intended the line to leave the Chattahoochie at the first point above the mouth of Uchee creek, from which it would run to Nickajack without touching the river, as the line must be a right line: and from the survey made, it appears that Miller's, or the Big Shoal Bend is that point. That a bend still lower down the river, and in the neighbourhood of Fort Mitchell was supposed to be that point, and the bend designed by the commissioners, appears from the concurrent testimony and assent for

more than twenty years of all those best acquainted with the country through which the line was to run, and with the negotiation between the United States and Georgia. That the great bend where the river changes its general direction, or the general western bend, or the most western bend, as it is frequently called, was not designed, is apparent from this; that this bend was well known and named as one of the points of limit in the act of 1799—which act was certainly not confirmed to by the commissioners—and the bend named in the articles of cession is designated as if to distinguish it from that bend. “The great bend thereof, referring to the Chattahoochie, and next above the place where a certain creek or river called Uchee being the first considerable stream on the western side above the Cussetah and Coweta towns, enters into the Chattahoochie river.” Now it is hard to conceive why if this great or greatest bend, a place well known, had been intended; the Uchee creek and the Coweta and Cussetah towns, sixty miles distant should have been referred to, more clearly to designate it. From the whole view of the subject, your committee are of the opinion, that the line run is the true line; and they entertain no high a respect for the good sense, justice, and magnanimity of the citizens of Alabama, to believe for one moment that a difference of opinion will be entertained by the two States, after the whole grounds of dispute shall have been maturely and deliberately considered by them. Your committee, therefore, recommend the adoption of the following resolution:

Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That the line run and marked from Nickajack to Miller’s Bend, on the Chattahoochie, is the true line contemplated by the articles of cession of 1802, between the United States and Georgia, and that it be recognised as such by the State of Georgia.

Which was read and agreed to.

Mr. Walker from the committee on the State of the Republic, to whom was referred the consideration of certain amendments to the constitution of the United States—Reported the following resolutions:

Resolved by the General Assembly of the State of Georgia, That the amendment proposed by resolution of the General Assembly of the State of Tennessee, passed Nov. 25th, 1825, on the subject of electing the President and Vice-President of the United States, be approved.

Resolved, That this General Assembly do approve of the other amendment proposed by the General Assembly of the State of Tennessee, passed as aforesaid, providing that no member of Congress shall be eligible to any office within the gift or nomination of the President of the United States, during the period for which he shall have been elected, and for six months thereafter, except appointments to the regular army or navy of the United States.

Resolved, That his Excellency the Governor be, and he is hereby requested, to transmit a copy of the foregoing resolutions to the Gov

vernors of the different States, and to our Senators and Representatives in Congress.

Which was read and ordered to lie on the table.

Mr. Jones from the committee to whom was referred the petition of Henry McCall—Reported,

That they have had the same under consideration, and believe that the prayer of the petitioner is reasonable and ought to be granted, so far as to give him a draw or draws, as his case may be, as though he had never drawn in a previous lottery.

Which was read and ordered to lie on the table.

The honorable senator from the county of Decatur had leave of absence after to day, until Monday next.

On motion of Mr. Sellars,

The senate took up and agreed to the report of the committee of the whole on the bill for the relief of John C. Gallman, a revolutionary soldier.

The bill was read the third time and passed.

Mr. Hoxey, from the committee appointed, reported a bill for the relief of John Kimbrough, of Butts county.

Which was read the first time.

Mr. Janes presented the petition of a number of citizens of Warren and Wilkes counties, praying to be added to the county of Taliaferro.

Which was read and referred to a committee consisting of messrs. Janes, Baker of Warren, Wooten, Wimberly and Wynn of Gwinnett.

Mr. Jones presented the petition of Thomas Elliott, a revolutionary soldier, praying for draws in the land lottery.

Which was read and referred to a committee, consisting of Messrs. Jones, Wynn of Hall, and Young.

The senate on motion of Mr. Hendrick, took up the resolution referring the penitentiary system of this State to the people, for an expression of opinion by them at the next general election.

Which was read—And on motion to agree thereto, it was determined in the negative.

And the yeas and nays being required are—yeas 16, nays 35.

Those who voted in the affirmative are,

Messrs.

Anderson	Foster	Powell of McIntosh
Beall	Frazier	Powell of Rabun
Broadnax	Hendrick	Smith
Brown of Camden	Joice	Strawn
Burney	Mitchell	Wellborn
Coffee		

those in the negative are,
lessrs.

Horn	Scarlett
er of Warren	Sellers
Hoxey	Tennille
Janes	Tippins
wn of Decatur	Walker
wn of Monroe	Witt
ckman	Williams
gille	Wimberly
ice	Wooten
ton of Clark	Wynn of Gwinnett
iel	Wynn of Hall
ll	
non	
Scarborough	

The following message was received from the house of representa-
by Mr. Dawson, their clerk, to wit:

r. President,

The House of Representatives have agreed to the amendment of
te, to the bill of the House, entitled an act to extend the time
fortunate drawers in the land lotteries of 1818, 1819, and 1821,
ce out their grants, and reduce the present price on lottery grants
so to the amendment of the bill of the house, to authorise cer-
commissioners therein named, to raise by lottery a fund for the
on of monuments to the memory of Greene and Pulaski, in the
Savannah.

the amendments of Senate to the bill of the House to author-
tain persons to plead and practice in the several courts of law
city in this State, on certain conditions, by offering an addi-
amendment to the amendment of Senate.
which they desire concurrence.

The House of Representatives have passed the following bills:

to legitimate and change the name of Joseph P. Long to that
eph Parsons.

to amend so much of an act to regulate general elections of
te, and to appoint the time of the meeting of the general as-
so far as relates to Henry.

to alter and amend the road law in reference to the liability
missioners, and for other purposes, so far as respects the coun-
bert.

to incorporate the Oak Grove Academy, in the county of
B.

to legitimate William Rose, formerly William Flarity, and
e him the legal representative of Thomas G. Rose, of Upson

to authorise a lottery for the benefit of Wrightsborough
ay, in Columbia county.

A bill to amend an act entitled an act to enable feme covert convey their estates, and for confirming and making valid all conveyances and acknowledgements heretofore made by feme covert, passed April 24th, 1760, so far as the same relates to feme coverts conveying their dower.

A bill to change the name of John Beller to John McDaniel.

A bill to incorporate Corinth Academy, in Baldwin county.

A bill to amend an act appointing vendue masters, for the city of Augusta, passed 21st December, 1819.

And a bill to amend an act, passed 9th Dec. 1824, to lay off Emanuel county and Tatnall into election districts, so far as respects county of Emanuel.

The Senate took up so much of the message as relates to amendments made by the house of representatives to the amendments of senate, to the bill of the house of representatives, to authorise certain persons to plead and practice in the several courts of law and equity in this State, on certain conditions—Which amendments read and concurred in.

Ordered, That the Secretary return said bill forthwith to the house of representatives.

Mr. Knight from the committee on enrollment reported as duly enrolled and signed by the speaker of the house of representatives the following acts:

An act to incorporate the Towaliga Academy, in Monroe county.

An act to explain and amend an act, passed on the 24th Dec. 1825, entitled an act to lay out a new county, to be composed of the counties of Wilkes, Warren, Hancock, Greene, and Oglethorpe, and to provide for the organization thereof.

An act to authorise certain commissioners therein named, to establish a lottery for the purpose of raising the sum of \$2500, for the purpose of aiding and assisting the funds of the Eatonton Academy in the county of Putnam.

An act to authorise the justices of the inferior court of the county of Franklin to levy an extra tax, for the purpose of building a house.

An act to alter and amend an act, passed Dec. 24th 1825, to amend the counties of Thomas and Lowndes, so far as respects the organization of courts and elections at the house of Sion Hill.

An act authorising certain commissioners therein named to raise by lottery a fund for the erection of monuments to the memory of Greene and Pulaski, in the city of Savannah.

An act to separate and divorce Anna Moon and James Moon, her husband.

An act to extend the time for fortunate drawers in the lotteries of 1818, 1819, and 1821, to take out their grants, and to pay the present price on lottery grants.

An act to continue in force an act entitled an act to revise and amend the several land acts now in force in this State, in relation to vacant lands and lands surveyed on head rights and bounty which was passed the 17th day of Dec. 1825.

An act for the relief of James Cartledge, tax-collector of Columbia county, and administrator of Ayres Cartledge, late tax-collector of said county.

An act to alter and amend an act entitled an act for appointing commissioners for ascertaining the boundaries of the towns and commons of Brunswick and Fredrica, in the county of Glynn, passed the 21st of February, 1796.

An act for the relief of the heirs of Wm. Bacon, deceased.

An act to incorporate the Jefferson Academy, in the county of Newton, and to appoint trustees for the same.

An act to legitimatise and change the name of Alexander Meads to that of Alexander Herrington—and,

An act to incorporate the Flat Shoal Academy, in the county of Jones.

Ordered, That the committee on enrollment do carry said acts to his Excellency the Governor for his assent.

The bill to authorise the present tax-collector of the county of Baker to collect the tax due from the citizens of said county for the year 1825.

And the bill to appropriate money to reimburse C. R. Parker, for the taking of the portraits of Washington, Franklin, Jefferson, Ha Fayette, and Oglethorpe,

Were read the third time and passed.

The senate resolved itself into a committee of the whole on the bill further to define the duty of executors in the probate of wills, Mr. Witt in the chair.

The president resumed the chair, and Mr. Witt reported that they had disagreed to the bill.

The senate took up and agreed to the report.

The senate resolved itself into committee of the whole on the bill to legitimatise and change the name of George A. Wilson to that of George A. Villican, Mr. Wynn of Gwinnett, in the chair.

The President resumed the chair, and Mr. Wynn reported the bill without amendment.

Ordered, That the report lie on the table.

The senate resolved itself into committee of the whole, on the bill to alter the time of holding the superior court in the county of Columbia, and the winter session of the inferior court, and for other purposes, Mr. Wynn of Hall, in the chair

The president resumed the chair, and Mr. Wynn reported the bill with amendments.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to create the office, prescribe the duties, and fix the compensation of public printer, Mr. Sellers in the chair.

The president resumed the chair, and Mr. Sellars reported the bill with amendment.

The senate took up the report.

And on motion of Mr. Hendrick to strike out "*one and a half cents*" in the fourth section of the bill, it was determined in the negative.

And the yeas and nays being required, are yeas 22, nays 33.

Those in the affirmative are,
Messrs.

Anderson	Coffee	Mitchell
Baker of Warren	Foster	Powell of Rabun
Beall	Frazer	Porter
Blackstone	Harris	Sellers
Blair	Hendrick	Strawn
Broadnax	Joice	Wellborn
Burney	Matthews	Wooten
Cargille		

Those in the negative are,
Messrs.

Allen	Horn	Smith
Brown of Camden	Hoxey	Tennille
Brown of Decatur	Janes	Thomas
Brown of Monroe	Jones	Tippius
Brockman	Knight	Walker
Choice	Lawson	Witt
Clayton of Clark	Love	Williams
Daniel	Powell of McIntosh	Wimberly
Dyall	Ray	Wynn of Gwinnett
Footman	Scarborough	Wynn of Hall
Harman	Scarlet	Young

The report being agreed to—The bill was read third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required, are yeas 28, nays 25.

Those who voted in the affirmative are,
Messrs.

Allen	Harmon	Scarborough
Brown of Camden	Horn	Scarlet
Brown of Decatur	Hoxey	Thomas
Brown of Monroe	Janes	Tippins
Brockman	Jones	Walker
Choice	Knight	Witt
Clayton of Clark	Lawson	Wimberly
Daniel	Love	Wynn of Gwinnett
Dyall	Ray	Wynn of Hall
Footman		

Those who voted in the negative are,

Messrs.

Anderson	Foster	Powell of Rabun
Baker of Warren	Frazer	Porter
Beall	Harris	Smith
Blackstone	Hendrick	Strawn
Blair	Joice	Tennille
Broadnax	Matthews	Wellborn
Burney	Mitchell	Wooten
Cargille	Powell of McIntosh	Young
Coffee		

The senate resolved itself into a committee of the whole, on the bill to lay off, define, and keep open the main channel of Flint river, so as to prevent the obstruction of the free passage of fish, and to appoint commissioners for the same, Mr. Harris in the chair.

The president resumed the chair, and Mr. Harris reported progress and had leave to sit again.

Mr. Coffee, from the committee appointed, reported a bill for the division of Upson county into election districts.

Which was read the first time.

Mr. Burney had leave to introduce instantler a bill to amend the penal code in this State, so far as relates to costs on indictments.

Which was read the first time.

The Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, December 1st. 1826.

On motion of Mr. Foster.

The senate reconsidered so much of their journal of yesterday, as relates to the passage of the bill altering the time of holding the superior court in the county of Columbia, and the winter session of the inferior court, and for other purposes.

On motion of Mr. Daniel.

The senate reconsidered so much of their journal of yesterday, as relates to the passage of a bill to create the office, prescribe the duties, and fix the compensation of public printer.

Mr. Scarlett laid on the table the following resolution :

Resolved, That his excellency the Governor be requested to purchase six copies of the Georgia Justice for the use of Glynn county, & forward the same with the acts and journals of the present session.

The honorable senator from the county of Morgan, had leave of absence after to-day for a few days.

Mr. Clayton, of Clarke, from the committee appointed, reported a bill for the relief of John Stewart, Floyd Stewart, and John T. Penn of Oglethorpe county.

Which was read the first time.

Mr. Blackstone from the committee appointed, reported a bill for the relief of Aven Floyd and John Rolan.

Which was read the first time.

The following bills were read the second time and ordered for a committee of the whole:

A bill to give the inferior courts of this state, while sitting for ordinary purposes, concurrent jurisdiction with the superior court in granting writs of partition and writs of dower, and to prevent suits brought by or against executors, administrators and guardians from abating at the death of either, and for other purposes.

A bill for the relief of John Kimbrough of Butts county.

A bill for the division of Upson county into election districts.

A bill to amend the penal code in this State, so far as relates to costs on indictments.

The senate resolved itself into a committee of the whole, on the bill to lay off, define, and keep open the main channel of Flint river, so as to prevent the obstructions of the free passage of fish, and to appoint commissioners for the same, Mr. Horn in the chair.

The president resumed the chair, and Mr. Horn reported the bill with amendment.

Ordered, That the report do lie on the table.

The senate resolved itself into a committee of the whole on the bill to amend the judiciary act of 1799, so far as relates to mortgages on real estates. Mr. Tippins in the chair.

The president resumed the chair, and Mr. Tippins reported the bill without amendment.

The senate took up amended and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to repeal the 9th section of the 9th division of the penal code, Mr. Wynn, of Hall, in the chair.

The president resumed the chair, and Mr. Wynn reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time under the caption of a bill to alter and amend the 9th section of the 9th division of the penal code of this State.

And on the passage of the bill, the yeas and nays being required, it was determined in the negative.

The yeas are 22, the nays are 27.

Those in the affirmative are,
Messrs.

Broadnax	Harman	Scarett
Brown of Monroe	Horn	Selles
Cargille	Lawson	Tenuille
Choice	Matthews	Tippas
Clayton of Clarke	Mitcnell	Walker
Coffee	Powell of McIntosh	Witt
Daniel	Porter	Williams
Footman	Ray	Young

Those in the negative are
Messrs.

Allen	Brockman	Knight
Anderson	Dyall	Love
Baker of Liberty	Foster	Powe. of Rabun
Baker of Warren	Frazer	Scarbrough
Beall	Harris	Suitt
Blackstone	Hendrick	Straw
Blair	Hoxey	Wootn
Brown of Decatur	Janes	Wyn of Gwinnett
Brown of Hancock	Joice	Wyn of Hall

The senate resolved itself into a committee of the whole on the bill to repeal an act further defining the duty of collectors of taxes, passed the 9th day of December, 1824, Mr. Walker in the chair.

The President resumed the chair, and Mr. Walker reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to rent out certain reserves and improvements which may be found to be fractions within the late acquired territory, Mr. Witt in the chair.

The president resumed the chair, and Mr. Witt reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed, under the caption of a bill to rent certain reserves and improvements in the late acquired territory.

The senate resolved itself into a committee of the whole on the bill to repeal the 12th section of an act, entitled an act to dispose of and distribute the lands lately acquired by the United States for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, passed the 9th day of June, 1825. Mr. Hoxey in the chair.

The president resumed the chair, and Mr. Hoxey reported the bill with amendment.

The senate took up the report—when

On motion of Mr. Daniel to lay it on the table the balance of the session, it was determined in the negative.

The yeas and nays being required are, yeas 23, nays 27.

Those who voted in the affirmative are,

Messrs.

Allen	Frazer	Stokes
Beall	Harman	Thomas
Brown of Monroe	Hoxey	Walker
Coffee	Janes	Williams
Daniel	Knight	Wooten
Dyall	Lawson	Wynn of Gwinnett
Footman	Powell of McIntosh	Wynn of Hall
Foster	Sellers	

Those who voted in the negative are,

Messrs.

Anderson	Harris	Ray
Baker of Warren	Hendrick	Scarborough
Blackstone	Horn	Scarlett
Blair	Joice	Smith
Broadnax	Love	Strawn
Brockman	Matthews	Tennille
Cargille	Mitchell	Tippins
Choice	Powell of Rabun	Witt
Clayton of Clark	Porter	Young

The report being agreed to.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required, are yeas 26, nays 24.

Those in the affirmative are,

Messrs.

Anderson	Hendrick	Scarborough
Baker of Warren	Horn	Scarlett
Blackstone	Joice	Smith
Blair	Love	Strawn
Broadnax	Matthews	Tennille
Cargille	Mitchell	Tippins
Choice	Powell of Rabun	Witt
Clayton of Clark	Porter	Young
Harris	Ray	

Those in the negative are,

Messrs.

Allen	Foster	Sellers
Beall	Frazer	Stokes
Brown of Monroe	Harman	Thomas
Brockman	Hoxey	Walker
Coffee	Janes	Williams
Daniel	Knight	Wooten
Dyall	Lawson	Wynn of Gwinnett
Footman	Powell of McIntosh	Wynn of Hall

Mr. Knight from the committee on enrollment, reported as duly enrolled and signed by the speaker of the house of Representatives, the following acts :

An act to incorporate the St. Andrews society in the city of Augusta.

An act to separate and divorce Patsey Crocket and Elias Crocket her husband.

An act to authorize certain persons therein named, to plead and practice in the several courts of law and equity in this state, under certain conditions.

An act to authorize the justices of the Inferior court of Gwinnett county, to remit a forfeiture incurred by Samuel Ellison.

Which were presented to and signed by the president of senate.

Ordered, That the committee on enrollment do carry said acts to his excellency the Governor for his assent.

Mr. Janes presented the petition of a number of citizens of the county of Hancock, praying to be included within Taliaferro county.

Which was read and referred to a committee consisting of Messrs. Janes, Baker of Warren, Wooten, Wimberly, & Wynn of Gwinnett.

Mr. Brockman presented the petition of Herndon Haralson of the county of Greene, praying a draw in the contemplated land lottery.

Which was read and referred to a committee consisting of Messrs. Brockman, Williams and Janes.

On motion of Mr. Williams.

Resolved, That the joint judiciary committee be, and they are hereby respectfully requested to enquire with as little delay as practicable, into the propriety of altering the judiciary system of this State, so as to make it lawful for clerks and sheriffs to copy, serve and return all writs and other process delivered to them within fifteen days of their respective courts: *Provided*, That such writ or other process extend not to bills in equity, &c. and be returned by the attorney twenty days before said court—and that they have leave to report by bill or otherwise.

Mr. Walker had leave to introduce instantler, a bill to authorize the justices of the Inferior court of Richmond county, commissioners and overseers of roads, and contractors for the construction and repairs of roads in said county, to enter upon the lands and inclosures of individuals or of corporations, and to take therefrom materials necessary for the construction and repairs of roads.

Which was read the first time.

Mr. Foster presented the petition of a number of citizens of Columbia county, relative to the claims of Richard Jones upon the benevolence of the legislature.

Which was read and referred to a committee consisting of Messrs. Foster, Wooten, and Frazer.

On motion of Mr. Daniel,

The senate took up and recommitted to a committee of the whole house, the bill to create the office, prescribe the duties, and fix the compensation of public printer.

The senate then resolved itself into a committee of the whole on said bill, Mr. Coffee in the chair.

The President resumed the chair, and Mr. Coffee reported progress and had leave to sit again.

The senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, December 2d, 1826,

The honorable senator from the county of Putnam had leave of absence for to-day.

The honorable senators from the counties of McIntosh, Walton, and Hancock, had leave of absence after to day for a few days.

The honorable senator from the county of Jones, had leave of absence till Tuesday next.

Mr. Powell, of McIntosh, from the committee on banks, to whom was referred the report of the President of the Darien Bank,

Reported, That they have since received two other statements of the affairs of said bank, the one by Thomas Spalding and James Troup, esquires, directors, and the other by William Atkinson and Jacob Wood, esquires, a committee appointed to make a detailed statement of the affairs of the institution. It is recommended that these reports be printed for the use of the legislature.

Your committee are so divided in opinion, as to the policy to be pursued by the legislature in regard to the Darien Bank, that no suggestion can be agreed upon. They do agree however, that the institution requires legislative interference, and accordingly recommend the following resolution :

Resolved, That the several reports concerning the condition of the Darien Bank, be referred back to the house from whence it emanated, that when said reports are all published and laid before the members of the legislature, such measures may be adopted as to that body may seem best.

Which was read and ordered to lie on the table.

Ordered, That the printing committee have printed 200 copies of the additional reports of the state and condition of the Darien Bank.

Mr. Powell, of McIntosh, from the committee to whom was referred the report of the Planters bank, Reported,

That they have carefully examined the exhibit of said bank, and take much pleasure in stating, that the affairs of said bank present a sound and prosperous condition, and appears to be ably and faithfully managed, and deem it therefore entitled to the fullest public confidence.

Which was read and ordered to lie on the table.

Mr. Brown, of Monroe, presented the petition of a number of citizens of Jones county, praying the establishment of an election precinct.

Which was read and referred to a committee, consisting of Messrs. Brown, of Monroe, Hendrick and Hoxey.

Mr. Broadnax notified the senate, that after to-day he would move for the appointment of a committee to prepare and report a bill to authorize Stephen M. Ingersoll to build a bridge across the Chatahoochie river, at or near Kinnard's ferry.

On motion of Mr. Foster.

The senate took up the bill of the house of representatives, to alter the time of holding the superior court in the county of Columbia, and the winter session of the inferior court, and for other purposes, and recommitted it to a committee of the whole house.

The senate then resolved itself into a committee of the whole on said bill, Mr. Scarlett in the chair.

The president resumed the chair, and Mr. Scarlett reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

Ordered, That the secretary do carry said bill forthwith to the house of representatives, for their concurrence.

Mr. Brockman from the committee appointed, reported a bill for the relief of Herndon Haralson.

Which was read the first time.

Mr. Janes from the committee appointed, reported a bill to add a part of the counties of Hancock, Warren and Wilkes, to the county of Taliaferro.

Which was read the first time.

The senate took up the resolution laid on the table by Mr. Scarlett, which was read and amended to read as follows, and agreed to.

Resolved, That his excellency the Governor be requested to purchase six copies of the Georgia Justice for the use of Glynn county, also four copies of the same and three copies of Prince's Digest for the use of the county of Fayette, and forward them with the acts and journals of the present session.

The following message was received from the house of representatives by Mr. Dawson, their clerk.

Mr. President,

The house of representatives have concurred in the resolution of senate, in behalf of Wm. Bowen, in relation to certain Africans.

In the resolution requesting the Governor to purchase and have transmitted to the justices of the inferior court of Liberty county, four copies of the Georgia Justice for the use of said county.

In the resolution appointing George Pullen a commissioner to keep open the rivers for the free passage of fish, in the place of Michael Whatley, deceased.

In the resolution appointing Matthew Caswell a commissioner to examine the roads from Jenckes's bridge on the Ogechee river, to the town of Macon, Bibb county.

In the resolution appointing James R. Wiley and Thomas J. Rush, trustees of the Clarkesville academy in the county of Habersham, in addition to those already appointed.

In the resolution to lay off sixty feet square on the commons of Milledgeville, on which the bath house stands, and to vest the use and benefit thereof in Henry Darnell for the term of ten years.

Unanimously in the report of the committee on the state of the republic, to whom the resolution had been submitted, directing and enquiring into the expediency of again applying to the general government, to renew the negotiation with the Cherokee Indians, with a view to the extinguishment of their title to the land in their possession, within the limits of Georgia, &c.

In the report of the committee to whom was referred the correspondence of his excellency the Governor with the general government, relative to the boundary line between Georgia and Florida, and authorising the appointment of a commissioner to attend on the part of Georgia.

In the resolution requesting the Governor to have each of the portraits in the State house covered in such manner as he may think proper, for the purpose of avoiding injury from dust, flies, &c.

In the resolution requesting his excellency the Governor to set apart a day of general thanksgiving and prayer, as suggested in his communication, and to adopt such measures as he may think proper to carry the same into effect.

In the report of the committee to whom was referred the communication of the Governor, in relation to the survey of the 11th district of Irwin county, now Lowndes, and allowing and requiring the surveyor to make such alterations as may be necessary in the correction of the errors or mistakes which may have been made, and to return the same to the surveyor general within six months.

They have passed a bill for the relief of Benjamin T. Rees and Talbot Rees of Columbia county.

They have agreed to a resolution in behalf of William W. Oliver, late tax collector of Scriven county.

To which they desire concurrence.

On motion of Mr. Coffee.

The senate again resolved itself into a committee of the whole on the bill to amend an act, entitled an act, amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the

lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, Mr. Wooten in the chair.

The president resumed the chair, and Mr. Wooten reported the bill with amendments.

The senate took up the report, and

On motion of Mr. Brockman to strike out the fourth section of the report, which is in the following words, to-wit:

Sec 4. *And be it further enacted*, That all persons who shall have resided in this state three years immediately preceding the said first day of January next, and who have served as a volunteer from this State a tour of duty for three months or more in the service of this State in the late war with Great Britain and the Indians, shall be entitled to one draw in addition to those which they are entitled by the before recited acts, notwithstanding they may have drawn a lot or lots in any previous lottery, and the persons appointed to carry this act into effect, shall administer the following oath in lieu of the oath prescribed by said recited acts, viz:

"I do solemnly swear or affirm, that I served a tour of duty for three months or more in the service of this State, in the late war with Great Britain and the Indians, and that I have resided three years within this State immediately preceding the first day of January, 1827.

And on the question to strike out, it was determined in the affirmative—yeas 27, nays 24.

Those in the affirmative are,

Messrs.

Blackstone	Dyall	Powell of McIntosh
Brown of Decatur	Footman	Ray
Brown of Monroe	Harris	Sellers
Brockman	Hendrick	Smith
Cargille	Horn	Thomas
Clayton of Clarke	Janes	Tippins
Clayton of Pulaski	Knight	Walker
Coffee	Lawson	Wooten
Daniel	Love	Wynn of Hall

Those in the negative are,

Messrs.

Allen	Frazer	Scarborough
Anderson	Harman	Spann
Baker of Warren	Joice	Scarlett
Beall	Jones	Strawn
Blair	Matthews	Witt
Broadnax	Mitchell	Williams
Choice	Powell of Rabun	Wynn of Gwinnett
Foster	Porter	Young

Mr. Sellers then moved to insert the following additional section, to-wit:

SEN.

And be it further enacted, That all persons, including widows and orphans, who have drawn a lot or lots of land in any former lottery, and the grant for the same by reason of its sterility, has not been taken out by the fortunate drawer, and has reverted to the State, or which the drawer will not take the grant for, but will return the same to the State, shall be entitled to one draw in the present contemplated lottery, provided said person comes within all the other provisions of this act, and will take the following oath, to wit:

"I, A. B. do solemnly swear, that I am a citizen of the U. State and have been resident in this State three years next immediately preceding the first of January, 1827; that I drew a tract of land in a former lottery, but on account of the sterility of the same, I have never taken out a grant for the same, and it is not my intention so to do, and that I do hereby relinquish all right, title and claim to the same, to the State. And all persons of like description who are the heads of families of the kind required by the act, to which this is an amendment, and who will comply with the provisions of the foregoing section and the aforesaid act, shall be entitled to two draws.

And the yeas and nays being required are—yeas 3, nays 45.

Those in the affirmative are,
Messrs.

Clayton of Pulaski Frazer

Sellers

Those in the negative are,
Messrs.

Allen
Anderson
Baker of Warren
Beall
Blackstone
Blair
Broadnax
Brown of Decatur
Brown of Monroe
 rockman
Cargille
Choice
Clayton of Clarke
Coffee
Daniel

Dyall
Footman
Foster
Harman
Harris
Hendrick
Horn
Joice
Jones
Knight
Lawson
Love
Matthews
Mitchell
Powell of McIntosh

Powell of Rabun
Porter
Ray
Scarborough
Spann
Smith
Strawn
Thomas
Tippins
Walker
Witt
Williams
Wooten
Wynn of Gwinnett
Wynn of Hall

The following enacting clause was read, to wit:

"And be it further enacted, That all unmarried females not widows, of the age of eighteen years and over, shall be entitled to one draw upon taking the following oath, to wit:

I, A. B. do solemnly swear that I am a single woman, and have never been married, that I have resided three years in this State, next immediately preceding the first day of January, 1827, have not drawn in any previous lottery, and have arrived at the age of eighteen years—So help me God.

And on motion of Mr. Beall that the same be stricken out, it was determined in the negative.

And the yeas and nays being required, are yeas 23, nays 27.

Those in the affirmative are,
Messrs.

Allen	Dyall	Strawn
Anderson	Frazer	Thomas
Baker of Warren	Horn	Witt
Beall	Lawson	Williams
Blair	Love	Wooten
Brown of Decatur	Mitchell	Wynn of Gwinnett
Brown of Monroe	Powell of Rabun	Young
Clayton of Pulaski	Sellers	

Those in the negative are,
Messrs.

Blackstone	Foster	Powell of McIntosh
Broadnax	Harman	Porter
Brockman	Harris	Ray
Cargille	Hendrick	Scarborough
Choice	Janes	Spann
Clayton of Clarke	Joice	Smith
Coffee	Jones	Tippins
Daniel	Knight	Walker
Footman	Matthews	Wynn of Hall

Mr. Wynn, of Hall, then moved the following enacting clause, to-wit:—

"And be it further enacted, That no illegitimate child or children shall be entitled to any further rights extended to them."

And the yeas and nays being required, are yeas 25, nays 24.

Those in the affirmative are,
Messrs.

Allen	Harris	Scarlett
Anderson	Horn	Thomas
Baker of Warren	Janes	Tippins
Beall	Joice	Witt
Blair	Knight	Williams
Brown of Decatur	Love	Wynn of Gwinnett
Brown of Monroe	Powell of McIntosh	Wynn of Hall
Cargille	Powell of Rabun	Young
Clayton of Pulaski		

Those in the negative are,
Messrs.

Blackstone	Foster	Ray
Broadnax	Frazer	Scarborough
Brockman	Harman	Spann
Choice	Hendrick	Sellers

Clayton of Clark
Coffee
Daniel
Footman

Jones
Matthews
Mitchell
Porter

Smith.
Strawn
Walker
Wooten

The president in the exercise of his privilege voted in the negative, and the amendment was disagreed to.

The report being read through was agreed to.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

And the yeas and nays being required, are yeas 34, nays 16.

Those who voted in the affirmative are,
Messrs.

Blackstone
Brown of Monroe
Brockman
Cargille
Choice
Clayton of Clarke
Coffee
Daniel
Dyall
Footman
Foster
Harman

Harris
Hendrick
Janes
Joice
Jones
Knight
Love
Matthews
Mitchell
Powell of McIntosh
Porter

Ray
Scarborough
Spann
Scarlett
Sellers
Smith
Strawn
Tippins
Walker
Wooten
Wynn of Hall

Those in the negative are,
Messrs.

Allen
Anderson
Baker of Warren
Beall
Blair
Broadnax

Clayton of Pulaski
Frazer
Horn
Lawson
Powell of Rabun

Thomas
Witt
Williams
Wynn of Gwinnett
Young

The senate adjourned until Monday morning next 10 o'clock.

MONDAY, December 4th, 1826.

Mr. Brockman had leave to introduce instantler, a bill to authorise John W. Rabun to plead and practice law in the several courts of law and equity in this State.

Which was read the first time.

Mr. Clayton of Clark, had leave to report instantler a bill to amend the 6th section of an act entitled an act to alter and amend an act, passed the 23d Dec. 1822, to distribute the bank dividend and other nett proceeds of the poor school fund amongst the different counties in this State, passed the 22d Dec. 1822, and also to amend an act to distribute certain funds for the use of the several academies in this State, passed the 23d of Dec. 1822.

Which was read the first time.

On motion of Mr. Blair,

The senate took up the reports upon the petitions of Daniel Ledbetter and William H. Boner and Joseph Watson.

Which were read and ordered to lie on the table for the present.

The following bills were read the second time and ordered for a committee of the whole.

A bill for the relief of Herndon Haralson.

A bill for the relief of Aven Floyd and John Rolan.

A bill to authorise the justices of the interior court of Richmond county, commissioners and overseers of roads, and contractors for the construction and repairs of roads in said county, to enter upon the lands and enclosures of individuals or of corporations, and take therefrom materials necessary for the construction or repairs of roads.

A bill for the relief of John Stewart, Floyd Stewart, and John T. Tenn, of Oglethorpe county.

And a bill to add a part of the counties of Hancock, Warren and Wilkes to the county of Taliaferro.

The senate resolved itself into committee of the whole, on the bill to extend the jurisdiction in all cases to the chartered limits of the State of Georgia, and for other purposes, Mr. Burney in the chair.

The president resumed the chair, and Mr. Burney reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole on the bill to make permanent the site of the public buildings in the county of Early, and to name the same, Mr. Brown of Camden in the chair.

The president resumed the chair, and Mr. Brown reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to add the academy fund, to which the county of Baker is entitled, to the poor school fund of said county, and fifty one dollars sixty-two and a half cents of the poor school fund to which the county of Early was entitled for the years 1824 and 1825, to the same, Mr. Brockman in the chair.

The president resumed the chair, and Mr. Brockman reported the bill with amendment.

Ordered, That the report lie on the table.

The senate resolved itself into a committee of the whole on the bill to amend the first section of an act entitled an act to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the city of Savannah, and the hamlets thereof, and for other purposes therein mentioned, passed the 24th day of Dec. 1825, Mr. Janes in the chair.

The president resumed the chair, and Mr. Janes reported the bill with amendment.

The senate took up the report.

And on motion of Mr. Tippins to lay it on the table for the balance of the session.

The yeas and nays being required, are—yeas 26, nays 24.

Those who voted in the affirmative are,

Messrs.

Allen	Harman	Scarborough
Alston	Horn	Smith
Baker of Warren	Hoxey	Thomas
Beall	Joice	Tippins
Brockman	Jones	Witt
Coffee	Knight	Williams
Daniel	Lawson	Wynn of Gwinnett
Dyall	Love	Young
Footman	Ray	

Those in the negative are,

Messrs.

Anderson	Choice	Powell of Rabun
Blair	Clayton of Clark	Porter
Broadnax	Clayton of Pulaski	Spann
Brown of Camden	Foster	Scarlet
Brown of Decatur	Frazer	Sellers
Brown of Monroe	Harris	Strawn
Burney	Janes	Wooten
Cargille	Matthews	Wynn of Hall

The senate resolved itself into a committee of the whole on the bill to authorise and direct a further sale of lots in the town of Macon, and to enlarge the commons of the same, Mr. Blair in the chair.

The president resumed the chair, and Mr. Blair reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to amend an act to sell and dispose of the States interest in lots of land which have been, or may hereafter be, condemned as fraudulently drawn in the counties of Bibb, Houston, and others, Mr. Williams in the chair.

The president resumed the chair, and Mr. Williams reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill for the relief of John Kimbrough, of Butts county, Mr. Harmon in the chair.

The president resumed the chair, and Mr. Harmon reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill for the relief of Alfred Doolittle, of Camden county, and Littleberry Johns of Liberty county, Mr. Knight in the chair.

The president resumed the chair, and Mr. Knight reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question "Shall this bill now pass?" it was determined in the negative.

On motion of Mr. Walker,

Resolved, That the secretary of senate be, and he is hereby, authorised to employ an enrolling clerk in his office during the remainder of the present session, whose pay shall be the same as other clerks in said office and provided for in the appropriation law of the present year.

Mr. Sellers laid on the table the following resolution:

Whereas, it frequently so happens, that from the increasing population in the counties now laid out, or in new created counties, that new created militia company districts are frequently laid out and defined by a convention of militia officers and judicial officers appointed for the same—

Be it therefore Resolved, That his Excellency the Governor be requested to purchase and have forwarded to the clerk of the inferior courts of said counties, a number of the Georgia Justices and of Prince's Digest of the laws of this State, to allow at least one copy of each to each district, whenever the same shall be certified and requested by a majority of the justices of the inferior courts of said counties, respectively—And that his excellency the Governor do pay for the same out of the contingent fund.

Mr. Brown of Monroe, from the committee appointed, reported a bill to establish an election district in the county of Jones, at the Cross Roads, near Swepson Taylor's.

Which was read the first time.

Mr. Knight, from the committee on enrollment, reported as duly enrolled and signed by the speaker of the house of representatives—

An act to appropriate money to reimburse C. R. Parker, for taking the portraits of Washington, Franklin, Jefferson, La Fayette, and Oglethorpe.

Which was presented to and signed by the president of senate.

Ordered, That the committee on enrollment do carry said act to his Excellency the Governor for his assent.

Mr. Brown of Monroe, had leave to introduce instantly, a bill to authorise Elijah Phillips to erect a bridge or ferry across the Towalga river, in Monroe county, on his own land, and to establish the toll rates.

Which was read the first time.

Agreeably to notice, Mr. Broadnax moved for the appointment of a committee to prepare and report a bill to authorise Stephen M. Ingresol to build a bridge across the Chattahoochie river, at or near Kennard's ferry.

Ordered, That messrs. Broadnax, Witt, and Harris, be that committee.

The senate took up the message of the house of representatives of Saturday last:—and

The bill to legitimate and change the name of Joseph P. Long to that of Joseph Parsons.

The bill to amend an act, passed the 9th day of Dec. 1824, to lay off Emanuel county and Tattall into election districts, so far as respects the county of Emanuel:—and

The bill to enable feme coverts to convey their estates, and for confirming and making valid all conveyances and acknowledgements heretofore made by feme coverts, passed April 24th 1760, so far as the same relates to feme coverts conveying their dower,

Were severally read the first time.

And the resolution respecting further proceedings against Wm. W. Oliver, a defaulting tax-collector, of Scriven county—Was read and concurred in.

The following communication was received from his Excellency the Governor, by Mr. Pierce, his Secretary :

EXECUTIVE DEPARTMENT,
Georgia, 4th December, 1826. }

The settlement of the country acquired by the treaty, the Indian Springs, in the early part of the next year being an object of much

solitude with our people, and embracing interests of considerable importance in other respects, it is suggested to the Legislature to take the requisite measures to assure the completion of the surveys without delay, and for this purpose to prescribe a further limitation of the period within which returns shall be made by district surveyors, and to authorise in case of accident, default, or neglect on the part of any of them, the substitution of proper persons to accomplish the work and make the returns within the time prescribed.

(Signed,)

G. M. TROUP.

Which was read and referred to a committee consisting of messrs. Payton of Clark, Burney, and Williams.

Also, the following message was brought from the Governor, by Mr. Pierce, his Secretary, informing the senate that the Governor had approved of, and signed the following resolutions:

One for the benefit of Henry Darnell.

One requesting the President to take the preparatory steps for making a treaty with the Cherokee Indians.

One on the subject of running the Florida line.

One for the relief of William Bowen.

One appointing Matthew Caswell commissioner of the road from Encke's bridge to Macon.

One appointing Jas. R. Wyley and Thomas J. Rusk trustees of the Parkersville Academy.

One on the subject of furnishing Liberty county with "Georgia justices."

One that George Pullen, of Newton county, be appointed commissioner to keep open the rivers for the free passage of fish.

One that the portraits be covered—and

One that a day of thanksgiving and prayer be set apart.

The Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, December 5th, 1826.

On motion of Mr. Clayton of Clark, to reconsider so much of the journal of yesterday, as relates to the laying on the table the balance of the session the bill to amend the 1st section of an act entitled an act to amend and to consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the city of Savannah, and the hamlets thereof, and for other purposes therein mentioned, passed the 24th day of Dec. 1825.

It was determined in the negative.

And the yeas and nays being required are—yeas 21, nays 30.

Those in the affirmative are,

Messrs.

Anderson	Clayton of Clark	Matthews
Blackstone	Foster	Powell of Rabun
Blair	Frazer	Strawn
Broadnax	Harris	Tennille
Brockman	Hendrick	Wimberly
Burney	Hoxey	Wooten
Cargille	Janes	Wynn of Hall

Those in the negative are,

Messrs.

Allen	Coffee	Love
Alston	Daniel	Ray
Baker of Liberty	Dyall	Scarborough
Baker of Warren	Footman	Sellers
Beall	Harmon	Smith
Brown of Camden	Horn	Thomas
Brown of Decatur	Joice	Tippins
Brown of Monroe	Jones	Witt
Choice	Knight	Williams
Clayton of Pulaski	Lawson	Wynn of Gwinnet

Mr. Brown of Camden, moved to reconsider so much of the journal of yesterday, as relates to the rejection of a bill for the relief of Alfred Doolittle, of Camden county, and Littleberry Johns, of Liberty county.

Which was determined in the negative.

On motion of Mr. Powell of Rabun,

Resolved, That his Excellency the Governor be instructed to purchase for the use of Rabun county, five copies of the Georgia Justice and have the same forwarded to said county with the laws and journals of the present session, and that the same be paid for out of the contingent fund.

On motion of Mr. Clayton of Clark,

Whereas, from the smallness of the annual tax of Emanuel county and the great difficulty on that account of getting any one to collect the same, a practice has obtained in said county of conferring on one and the same person, the appointment of both receiver and collector, and suffering said officer to collect two year's taxes at the same time: And whereas, Charles C. Jenkins was appointed receiver and collector for the years 1824 and 1825 of said county, and never received his commission as collector until the month of July 1825, when he immediately proceeded to the collection of the taxes for both of said years, and received the same in Darien money, as said money was then receivable at the public treasury—And whereas the Legislature at their last session passed a resolution in the month of December, declaring that said money should be receivable at the treasury until the ensuing first of January, and after that time for all taxes of the year 1824 that had been received by collectors, and said resolution having passed so near the time when said money would cease to be received, the said Jenkins had no notice of the same, and the taxes which he had collected for the year 1825, according to the practice of his county, to wit, \$2⁹, was refused to be received by the treasurer on the 6th of February last, when he applied to pay in the same—Now as it would be unjust for said collector to lose the discount on said money, for remedy whereof—

Be it Resolved, That the treasurer of the State be, and he is hereby authorised to receive the said money collected by the said Jenkins as the taxes for the year 1825 of the county of Emanuel, any resolution to the contrary notwithstanding.

The following bills were read the second time and ordered for a committee of the whole.

A bill to authorise Elijah Phillips to erect a bridge or ferry over the Towaliga river, in Monroe county, on his own land, and to establish the toll rates.

A bill to establish an election district in the county of Jones, at the Cross-Roads, near Swepson Taylor's.

A bill to amend the 6th section of an act entitled an act to alter and amend an act, passed the 23d Dec. 1822, to distribute the bank dividend, and other nett proceeds of the poor school fund amongst the different counties in this State, passed the 22d Dec. 1823, and also to amend the act to distribute certain funds for the use of the several academies in this State, passed the 25d of Dec. 1822.

A bill to authorise John W. Rabun to plead and practice law in the several courts of law and equity in this State.

The senate resolved itself into a committee of the whole on the bill for the relief of Aven Floyd, and John Rolan, Mr. Scarlett in the chair.

The president resumed the chair, and Mr. Scarlet reported the bill without amendment.

Ordered, That the report lie on the table.

The senate resolved itself into a committee of the whole on the bill for the relief of Herndon Haralson, Mr Allen in the chair.

The president resumed the chair, and Mr Allen reported the bill without amendment.

Ordered, That the report lie on the table.

The senate resolved itself into committee of the whole on the bill to authorise the justices of the inferior court of Richmond county, commissioners and overseers of roads, and contractors for the construction and repairs of roads in said county, to enter upon the lands and enclosures of individuals or of corporations, and to take therefrom materials necessary for the construction or repairs of roads, Mr. Anderson in the chair.

The president resumed the chair, and Mr. Anderson reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill for the relief of John Stewart, Floyd Stewart, and John T. Penn of Oglethorpe county, Mr. Beall in the chair.

The president resumed the chair, and Mr. Beall reported the bill without amendment.

The senate took up and agreed to the report.

And the bill read the third time and passed.

The senate took up the report of the committee of the whole on the bill to create the office, prescribe the duties, and fix the compensation of public printer—and

On motion of Mr. Anderson to lay it on the table for the balance of the session, it was determined in the affirmative.

The senate resolved itself into a committee of the whole, on the bill to repeal the 3d section of an act altering and amending an act entitled an act to alter and fix the time of holding the superior and inferior courts in the several judicial circuits in this State, and to add the county of Madison to the northern, and the county of Bullock to the eastern, and the county of Columbia to the middle circuit, passed the 14th Dec. 1819, so far as relates to the time of holding the superior courts of the middle circuit, and to provide for the compensation of petit jurors attendant on the superior courts of Richmond county, Mr. Witt in the chair.

The president resumed the chair, and Mr. Witt reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time,

And passed under the title of a bill "to repeal the third section of an act altering and amending an act entitled an act to alter and fix the time of holding the superior and inferior courts in the several judicial circuits in this State, and to add the county of Madison to the northern, Bullock to the eastern, and Columbia to the middle circuit, passed 14th Dec. 1819, so far as relates to the time of holding the

superior courts of the middle circuit, and to alter the laws on the subject of drawing and arranging grand and petit jurors, so far as relates to the county of Richmond."

The senate took up and agreed to the report of the committee of whole, on the bill to define the liability of indorsers of promissory notes and other instruments, and place them upon the same footing with securities.

The bill was read the third time.

And on the question "shall this bill now pass?" it was determined in the affirmative.

The yeas and nays being required are—yeas 34, nays 19.

Those in the affirmative are,
Messrs.

Allen	Foster	Scarlet
Alston	Frazer	Sellers
Anderson	Harman	Smith
Beall	Hendrick	Tennille
Blackstone	Horn	Walker
Brown of Monroe	Hoxey	Witt
Brockman	Janes	Wimberly
Choice	Love	Wooten
Clayton of Clark	Matthews	Wynn of Gwinnett
Clayton of Pulaski	Ray	Wynn of Hall
Dall	Spann	Young
Footman		

Those in the negative are,
Messrs.

Baker of Liberty	Coffee	Lawson
Baker of Warren	Daniel	Powell of Rabun
Blair	Harris	Scarborough
Brown of Camden	Joice	Strawn
Brown of Decatur	Jones	Thomas
Burney	Knight	Tippins
Cargille		

The senate resolved itself into a committee of the whole on the bill to amend the 14th section of an act, passed the 9th day of June 1825, to dispose of and distribute the lands acquired by the United States, for the use of Georgia, of the Creek nation of Indians, at a treaty made and concluded at the Indian Springs on the 12th day of February, 1825, Mr. Jones in the chair.

The president resumed the chair, and Mr. Jones reported the bill with an amendment.

The senate took up the report.

And on motion of Mr. Anderson to lay the report on the table for the balance of the session, it was determined in the affirmative.

And the yeas and nays being required are—yeas 35, nays 18.

Those in the affirmative are,
Messrs.

Allen	Daniel	Love
Alston	Dyall	Matthews
Anderson	Footman	Ray
Baker of Liberty	Foster	Scarborough
Beall	Frazer	Scarlet
Blair	Harman	Thomas
Brown of Decatur	Harris	Tippins
Brown of Monroe	Horn	Witt
Brockman	Hoxey	Wimberly
Burney	Janes	Wynn of Gwinnett
Clayton of Pulaski	Knight	Wynn of Hall
Cargille	Lawson	

Those in the negative are,
Messrs.

Baker, of Warren	Hendrick	Smith
Blackstone	Joice	Strawn
Brown of Camden	Jones	Tennille
Choice	Powell of Rabun	Walker
Clayton of Clark	Spann	Wooten
Coffee	Sellers	Young

The senate resolved itself into a committee of the whole, on the bill to establish and regulate an additional election district in the county of Liberty, Mr. Harmon in the chair.

The president resumed the chair, and Mr. Harmon reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to amend the penal code in this State, so far as relates to costs on indictments, Mr. Brown of Camden, in the chair.

The president resumed the chair, and Mr. Brown reported the bill without amendment.

Ordered, That the report lie on the table.

The president laid before the senate, a letter from the honorable John Macpherson Berrien, relative to the publication of the debates on the Federal Constitution.

Which was read and with the memorial of Jonathan Elliot, referred to a committee consisting of Messrs. Burney, Daniel, and Footman.

The message of the house of representatives of Saturday was taken up, and the bills therein contained was read the first time.

Mr. Brown of Decatur, had leave to report instanter a bill to consolidate the academical and poor school fund set apart for Decatur county, and the same become a poor school fund.

Which was read the first time.

The senate took up the resolution laid on the table yesterday by Mr. Sellers—Which was read amended to read as follows, and agreed to—

Whereas, it frequently so happens, that from the increasing population in the counties now laid out, or in new created counties that new created militia company districts are frequently laid out and defined by a convention of militia officers and judicial officers appointed for the same—

Be it therefore Resolved, That his Excellency the Governor be requested to purchase and have forwarded to the clerk of the inferior courts of said counties a number of the Georgia Justices and of Prince's Digest of the laws of this State, to allow at least one copy of each to each district, wherever the same shall be certified and requested by a majority of the justices of the inferior courts of said counties respectively—And that his Excellency do pay for the same out of the contingent fund:

Provided, that unless the same be forwarded with the laws and journals of the State, the expense of carrying the same to said counties shall not be paid by the State, but delivered to the order of the inferior courts of any county entitled thereto, by any person applying to his Excellency the Governor.

The senate took up the report of the joint judiciary committee on the petition of a number of the citizens of Elbert county—Which was amended to read as follows, and agreed to:

The committee to whom was referred the petition of a number of the good citizens of this State, concerning obstructions placed in their pass-ways to their respective tracts of land, have had the same under consideration, and beg leave to report—

That the common law in force upon this subject, to wit—the right of ingress and egress to real property, is more full and explicit than any statutory enactments could be expected to be on this matter, and offer the following resolution:

Resolved, That the committee be discharged from the further consideration of said subject.

Mr. Clayton of Clark, from the committee appointed, reported a bill to extend the time for district surveyors to make their returns in the contemplated lottery, and to authorise the Governor to fill vacancies in certain cases therein mentioned.

Which was read the first time.

The senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, December 6th. 1826

On motion of Mr. Spann.

The senate reconsidered so much of their journal of yesterday, as relates to the laying on the table the balance of the session, the bill to amend the 14th section of an act passed the 9th day of June, 1825 to dispose of and distribute the lands acquired by the United States for the use of Georgia of the Creek nation of Indians at a treaty made and concluded at the Indian Spring on the 12th day of February, 1825.

On motion of Mr. Scarlett.

Resolved, That both branches of the general assembly will convene in the representative chamber on Saturday next, at 3 o'clock P. M. for the purpose of electing a principal keeper and three inspectors of the penitentiary.

The following communication was received from his excellency the Governor by Mr. Pierce, his secretary.

EXECUTIVE DEPARTMENT, GEORGIA, }
Milledgeville, 5th. December, 1826 }

I submit to the legislature a communication this morning received from the Secretary of War of the United States, requesting the legislature of this State to confirm a purchase made by the United States of a site for an arsenal near Augusta, and to cede the jurisdiction of the state over the same, with the usual qualification.

Signed,

G. M. TROUP.

Which was read, and with the letter of the Secretary of War, referred to a committee consisting of Messrs. Walker, Witt and Tennille.

Mr. Coffee from the joint committee on finance, to whom was referred the consideration of causing the treasurer to make lists of the numbers, letters, and dates of the bank bills in the treasury,

Reported, That they have had the same under consideration; and are of the opinion that any arrangement with banks for the purpose of taking care of the money of the state, would be attended with great inconvenience to the monied transactions of the state, and would certainly not be without its risks, so far as the solvency of the banks might be concerned, a matter not altogether visionary, if every other days experience can be relied upon—And as to taking such a list of the bills as would answer any useful purpose, they believe it would be a business of great labor which ought not to be imposed upon the treasurer, without a suitable compensation, and such compensation ought not to be given by the state, for the object to be attained by it is disproportioned, as they conceive, to the expense of the undertaking. They therefore recommend the following resolution:

Resolved, That the committee be discharged from the further consideration of said resolution.

Which was read and agreed to.

Mr. Coffee further reported, that the committee on finance to whom was referred a resolution directing them to enquire into the propriety of reducing the rate of interest in this state, after having had the same under consideration, are of opinion that it is not expedient to interfere with the law on that subject, and therefore recommend the following resolution :

Resolved, That the committee be discharged from the further consideration of said reference.

Which was read and agreed to.

Mr. Coffee from the joint committee on finance, to whom was referred a resolution instructing them to inquire into the expediency of imposing a tax on money and exchange brokers, Reported,

That they have had the same under consideration, and are of opinion that it is proper and expedient that the said money and exchange brokers should be taxed, and therefore report a bill to tax money and exchange brokers, or any other person by whatever name called, who make a business or profession of buying or selling money or bank bills, or exchanging the same for a profit.

Which was read the first time.

On motion of Mr. Daniel.

The senate took up the report and resolution of the house of representatives, in favor of Mrs. Catherine Proctor Limbert.

Which was read and ordered to lie on the table for the present.

The bill to consolidate the academical and poor school fund set apart for Decatur county, and the same to become a poor school fund.

Was read the second time and ordered for a third reading.

The bill to extend the time for district surveyors to make their returns in the contemplated lottery, and to authorize the Governor to fill vacancies in certain cases therein mentioned.

Was read the second time and ordered for committee of the whole.

The senate resolved itself into a committee of the whole, on the bill to give the Inferior court of this state, while sitting for ordinary purposes, concurrent jurisdiction with the superior court in granting writs of partition and writs of dower, and to prevent suits brought by or against executors, administrators and guardians from abating at the death of either, and for other purposes, Mr. Baker of Liberty, in the chair.

The president resumed the chair, and Mr. Baker reported the bill with amendment.

When on motion to lay it on the table the balance of the session, it was determined in the affirmative.

The yeas and nays being required, are yeas 49, nays 5.

Those in the affirmative are,

Messrs.

Allen	Coffee	Porter
Alston	Daniel	Ray
Anderson	Dyall	Spann
Baker of Liberty	Footman	Scarlett
Baker of Warren	Frazer	Smith
Beall	Groves	Strawn
Blair	Harman	Tennille
Broadnax	Harris	Tippins
Brown of Decatur	Hendrick	Walker
Brown of Hancock	Horn	White
Brown of Monroe	Janes	Witt
Brockman	Joice	Williams
Burney	Knight	Wooten
Cargille	Love	Wynn of Gwinnett
Choice	Matthews	Wynn of Hall
Clayton of Clarke	Powell of Rabun	Young
Clayton of Pulaski		

Those in the negative are,

Messrs.

Brown of Camden	Hoxey	Sellers
Foster	Scarborough	

The senate resolved itself into a committee of the whole, on the bill for the division of Upson county into election districts, Mr. Raker, of Warren in the chair.

The president resumed the chair, and Mr. Baker reported the bill with amendment.

Ordered, That the report lie on the table.

The senate resolved itself into a committee of the whole on the bill to add a part of the counties of Hancock, Warren, and Wilkes to the county of Taliaferro, Mr. Blair in the chair.

The president resumed the chair, and Mr. Blair reported the bill without amendment.

The senate took up the report—and

On motion of Mr. Knight to strike out the first section in the following words :

Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, all that part of Hancock adjoining the county of Taliaferro, lying north of a line beginning where the line taking off a part of Greene county, intersects the road leading from Powelton to Greensborough, below and near Walls's old fort, thence down the said road to Britain Simms's, thence a direct line to Isaac Battle, thence a direct line to Carter's bridge on the Ogechee river, be added to and become a part of the county of Taliaferro.

It was determined in the affirmative.

The yeas and nays being required, are yeas 35, nays 19.

Those in the affirmative are,
Messrs.

Allen	Clayton of Pulaski	Scarlett
Anderson	Daniel	Sellers
Baker of Liberty	Footman	Strawn
Baker of Warren	Foster	Walker
Beall	Frazer	White
Blair	Harris	Williams
Broadnax	Hendrick	Wimberly
Brown of Camden	Horn	Wooten
Brown of Decatur	Knight	Wynn of Gwinnett
Brown of Hancock	Ray	Wynn of Hall
Brockman	Scarborough	Young
Choice	Spann	

Those in the negative are,

Messrs.

Alston	Harman	Porter
Burney	Hoxey	Smith
Cargille	Janes	Tennille
Clayton of Clarke	Love	Thomas
	Matthews	Tippins
	Powell of Rabun	Witt

The second paragraph of the report being read in these words:

And be it further enacted, That all that part of the county of Warren, adjoining the county of Taliaferro, lying north west of a line commencing at Carter's bridge on Ogechee river, thence down said river to Hunter's bridge, thence along the road in the direction of Washington to Cocrofts, thence along said road to William R. Luckitt's plantation, to where the old road that originally run from Alexander's mill on Ogechee intersects said road, thence along said old road to the mouth of Beaverdam creek, be added to and become a part of the county of Taliaferro.

On motion of Mr. Baker, of Warren, to strike out said paragraph, was determined in the affirmative.

And the yeas and nays being required, are yeas 35, nays 20.

Those in the affirmative are,
Messrs.

Allen	Daniel	Scarlett
Anderson	Footman	Sellers
Baker of Liberty	Foster	Strawn
Baker of Warren	Frazer	Walker
Beall	Harris	White
	Hendrick	Williams
Broadnax	Horn	Wimberly
Brown of Camden	Joice	Wooten

Brown of Decatur	Knight	Wynn of Gwinnet
Brown of Hancock	Ray	Wynn of Hall
Brockman	Scarborough	Young
Choice	Spann	

Those in the negative are,
Messrs.

Alston	Groves	Porter
Burney	Harman	Smith
Cargille	Hoxey	Tennille
Clayton of Clark	Janes	Thomas
Clayton of Pulaski	Love	Tippins
Coffee	Matthews	Witt
Dyall	Powell of Rabun	

The third paragraph of the report in the following words, read.

And be it further enacted, That all that part of the county of Wilkes, adjoining the county of Taliaferro, lying south west line commencing at Beaverdam creek, thence down Willis creek to the bridge near Allison's old store, thence along the road Owen Holliday's, (making him a liner) thence on said road by John Gibson formerly lived, John Lee's, near Phillips's bridge, thence a direct line to the mouth of Powder creek on Little river, be a part to and become as a part of the county of Taliaferro.

On motion of Mr. Wooten to strike out said paragraph, it was terminated in the affirmative.

The yeas and nays being required are, yeas 35, nays 20.

Those who voted in the affirmative are,
Messrs.

Allen	Clayton of Pulaski	Scarlett
Anderson	Daniel	Sellers
Baker of Liberty	Footman	Strawn
Baker of Warren	Foster	Walker
Beall	Frazer	White
Blair	Harris	Williams
Broadnax	Hendrick	Wimberly
Brown of Camden	Horn	Wooten
Brown of Decatur	Hoxey	Wynn of Gwinnet
Brown of Hancock	Knight	Wynn of Hall
Brockman	Ray	Young
Choice	Spann	

Those who voted in the negative are,
Messrs.

Alston	Harman	Scarborough
Burney	Janes	Smith
Cargille	Joice	Tennille
Clayton of Clarke	Love	Thomas
Coffee	Matthews	Tippins
Dyall	Powell of Rabun	Witt
Groves	Porter	

Ordered, That the remainder of the report do lie on the table the
ance of the session.

The senate resolved itself into a committee of the whole, on the
to authorize John W. Rabun to plead and practice law in the se-
veral courts of law and equity in this State, Mr. Broadnax in the
chair.

The president resumed the chair, and Mr. Broadnax reported the
with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed under the title of
a bill to authorize John W. Rabun and Washington Gordon to
plead and practice law in the several courts of law and equity in this
State.

The senate resolved itself into a committee of the whole, on the
to amend the 6th section of an act, entitled an act to alter
and amend an act passed the 23d December, 1822, and to distribute
bank dividend and other nett proceeds of the poor school fund
amongst the different counties in this state, passed 22d December,
1822; and also to amend the act to distribute certain funds for the
use of the several academies in this state, passed the 23d of Decem-
ber, 1822, Mr. Brown, of Monroe, in the chair.

The president resumed the chair, and Mr. Brown reported the bill
with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the
to establish an election district in the county of Jones at the cross
roads at Swepson Taylors, Mr. Choice in the chair.

The president resumed the chair, and Mr. Choice reported the bill
with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed under the title of
a bill to establish and regulate district elections in the county of
Jones.

The senate resolved itself into a committee of the whole, on the
to authorize Elijah Phillips to erect a bridge or ferry over the
Saluda river in Monroe county, on his own land, and to establish
toll rates, Mr. Burney in the chair.

The president resumed the chair, and Mr. Burney reported the bill
with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate took up the report of the committee of the whole, on
a bill to lay off, define, and keep open the main channel of Flint
river, so as to prevent the obstruction of the free passage of fish, and
appoint commissioners for the same.

The bill was read, amended, and agreed to.

The bill was read the third time and passed, under the title of
a bill to lay off, define, and keep open the main channel of Flint riv-

Chattahoochie rivers, so as to prevent the obstruction of the free passage of boats and fish, and to appoint commissioners for the same and also to appoint one commissioner for the Ocmulgee river.

The senate took up and agreed to the report of the committee of the whole, on the bill to amend the penal code in this state, so far as it relates to costs on indictments.

The bill was read the third time and passed.

The bill to extend jurisdiction in all cases to the chartered limits of the State of Georgia and for other purposes, was made the special order of the day for Friday next.

The senate took up the report of the committee of the whole, on the bill to legitimatise and change the name of George A. Wilson to that of George A. Millican.

Which was read, amended, and agreed to.

The bill was read the third time and passed, under the title of

A bill to legitimatise and change the names of certain persons therein named.

The senate took up the report of the committee of the whole, on the bill to add the academy fund to which the county of Baker is entitled, to the poor school fund of said county, and fifty-one dollars and sixty-two and a half cents of the poor school fund to which the county of Early was entitled for the years 1824 and 1825, to the same.

Which was read, amended, and agreed to.

The bill was read the third time and passed, under the title of

A bill to add the academy fund to which the county of Baker is entitled, to the poor school fund of said county, and fifty dollars and seventy cents of the poor school fund to which the county of Early was entitled for the years 1824 and 1825 to the same, and to authorize the taking of the census of sundry counties in this state.

The senate took up the report of the committee of the whole, on the bill for the relief of Herndon Haralson.

Which was read and disagreed to.

Mr. Walker from the committee appointed, reported a bill assenting to and confirming a purchase made by the United States of a piece of land situated near Augusta, Georgia, and for ceding the jurisdiction over the same.

Which was read the first time.

Mr. Janes presented the petition of Collin Rogers, and the memorial of Martin Simmons.

Which were read and referred to a committee consisting of Messrs. Janes, Baker, of Warren, and Wimberly.

Mr. Hoxey from the committee to whom was referred the petition of Joel Baley, Reported,

That they have had the same under careful consideration, and find the following facts: That previous to the treaty of the Indian

Springs, said Joel Bailey had leased said Springs from McIntosh for twenty years, but in order to facilitate the treaty and to secure the state, the objects contemplated by the same, he relinquished his lease to McIntosh upon the express condition of retaining possession of the premises for two years for which he has to give four hundred dollars per year, to be discharged in improvements upon the property. They find that one thousand and twenty-four dollars of necessary repairs and useful improvements have been placed upon the premises by the said Joel Bailey—They also find that the Legislature directed said property to be leased for the years 1825 and 1826. One year of said Baileys's lease being yet unexpired, and the said Bailey not disposed to resist the acts of the state, quietly submitted to said measure; and in order to save himself in the preparations he had made to remain the period of his two years lease, as well as to avoid the great expense and inconvenience of removal, he was compelled to rent said premises a second time from the state, for which he gave a note for five hundred and fifty-one dollars. This statement of facts, as your committee conceive, places the state under the obligation either to restore said note to Bailey, or pay him for one half of the improvements which he put upon the premises, by virtue of his contract and lease with said McIntosh, and as they are nearly equal in amount, your committee recommend the following resolution:

Resolved, That the officer in whose possession the said note has been placed, be authorised and directed to deliver the same to said Bailey upon his application.

Which was read and ordered to lie on the table.

The senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, December 7th, 1826,

On motion of Mr. Jones,

The senate reconsidered so much of their journal of yesterday, as relates to the adoption of a resolution setting apart Saturday evening next at 3 o'clock, for the election of a principal keeper, and three inspectors of the penitentiary.

On motion of Mr. Daniel,

Resolved, That a committee be appointed to investigate the circumstances of the printing, with reports concerning the state of the Darden bank, a certain private letter from Anson Kimberly to Allen B. Powell, together with other papers all unknown to the senate, when

the said reports were ordered to be printed, and that said committee be authorised to send for persons and papers.

Ordered, That messrs. Daniel, Beall, Tennille, Hoxey, Burney, Witt, and Jones, be that committee.

Mr. Sellers presented the petition of the trustees of the Henry county Academy.

Which was read and referred to a committee consisting of messrs. Sellers, Clayton of Clark, and Janes.

Mr. Janes from the committee appointed, reported a bill to entitle Martin Simmons, and Collin Rogers, to draws in the contemplated land lottery.

Which was read the first time.

The following message was received from the house of representatives, by Mr. Dawson their clerk :

Mr. President :

The house of representatives have passed the following bills to wit :

A bill to raise a tax for the support of Government, for the year 1827.

A bill further to amend an act to incorporate a bank to be called the bank of the State of Georgia, passed 16th Dec. 1815.

A bill to alter and amend an act to amend the 4th section of an act to protect the estate of orphans, &c.

A bill to establish an additional election district in the county of Columbia.

A bill to separate and divorce Mary Gorham, formerly Mary Avery and Thomas Gorham her husband.

A bill to divorce and separate John Smith and Sarah his wife.

A bill to separate and divorce Hannah Norman, formerly Hannah Andrews, and Sherwood Norman her husband.

A bill to repeal an act defining the duties of tax-collector, passed 9th December, 1824—and

A bill to establish free schools in the county of Gwinnett.

The house of representatives have disagreed to the amendments of senate, to the bill of the house, to amend an act entitled an act amendatory of an act, passed the 9th day of June 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia, from the Creek nation of Indians, &c., to strike out the 4th section of said bill.

And have disagreed to the additional section proposed by the senate, to entitle unmarried females over the age of eighteen years, draw, &c. and respectfully ask the senate to recede from said amendments.

To all the other amendments of the senate they have agreed.

The house of representatives has agreed to all the amendments of senate, to the bill of the house, to alter the time of holding the

perior court in the county of Columbia, and the winter session of the inferior court, and for other purposes.

They have passed a bill of the house, to amend an act entitled an act supplementary to an act more effectually to enforce an act, entitled an act prescribing the mode of manumitting slaves in this State, and also to prevent the inveigling and illegal carrying out of the State persons of color.

And a bill to organise the territory lately acquired from the Creek Indians, lying between the Flint and Chattahoochie rivers, and west of the Chattahoochie.

And they have passed the bill of Senate to repeal an act to lay off the State into seven Congressional Districts, passed the 22d day of December, 1825.

The senate took up the message from the house of representatives on the subject matter of the disagreement of the house to the amendments of senate, to the bill to amend an act entitled an act amendatory of an act, passed the 9th day of June 1825, to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of Feb. 1825—and the 4th section of the same being read,

On motion that the senate do recede from their amendment, so far relates to the striking out of said section, and concur with the house of representatives.

And the yeas and nays being required are—yeas 29, nays 29.

Those who voted in the affirmative are,
Messrs.

Allen	Frazer	Tennille
Anderson	Groves	Thomas
Baker of Warren	Hendrick	White
Beall	Hoxey	Witt
Blackstone	Jones	Wellborn
Blair	Powell of Rabun	Williams
Broadnax	Porter	Winberly
Choice	Scarborough	Wynn of Gwinnett
Clayton of Pulaski	Spann	Young
Foster	Strawn	

Those who voted in the negative are,
Messrs.

Alston	Daniel	Powell of McIntosh
Baker, of Liberty	Dyall	Ray
Brown of Camden	Harmon	Scarlet
Brown of Decatur	Harris	Seilers
Brown of Monroe	Horn	Smith
Brockman	Janes	Tippins
Burney	Joice	Walker
Cargille	Knight	Wooten
Clayton of Clark	Love	Wynn of Hall
Coffee	Matthews	

The yeas and nays being equal in number, the President voted in the negative—So the senate adhered to said amendment.

The following amendment of senate, to which the house of representatives had disagreed, was read—to wit:

And be it further enacted, That all unmarried females, not widows, of the age of eighteen years and over, shall be entitled to one draw, upon taking the following oath—to wit:

“I, A. B. do solemnly swear that I am a single woman, and have never been married, that I have resided three years in this State next immediately preceding the 1st day of January, 1827—have never drawn in any previous lottery, and have arrived at the age of eighteen years—So help me God.”

And on motion that the senate do adhere to said amendment:

The yeas and nays being required are—yeas 29, nays 30.

Those in the affirmative are,
Messrs.

Alston	Footman	Porter
Blackstone	Foster	Ray
Broadnax	Harmon	Scarborough
Brown of Camden	Harris	Scarlet
Brockman	Hendrick	Smith
Cargille	Janes	Tennille
Choice	Jones	Tippins
Clayton of Clark	Knight	Walker
Coffee	Matthews	Wynn of Hall
Daniel	Powell of McIntosh	

Those in the negative are,
Messrs.

Allen	Dyall	Strawn
Anderson	Fazer	Thomas
Baker of Liberty	Groves	White
Baker of Warren	Horn	Witt
Beall	Hoxey	Wellborn
Blair	Joice	Williams
Brown of Decatur	Love	Wimberly
Brown of Monroe	Powell of Rabun	Wynn of Gwinnett
Burney	Spann	Young
Clayton of Pulaski	Sellers	

The President voted in the affirmative.

Ordered, That the senate do recede and concur with the house of representatives in said amendment.

The bills contained in said message were read the first time:

Mr. Walker, from the committee, on the State of the Republic, to whom was referred that part of the Governor's communication and the accompanying documents which relate to the treaties with the Creek nation of Indians, and our differences with the General Government, have had the same under attentive consideration, and ask leave to make the following REPORT :

The unfortunate misunderstanding between the General Government and the State of Georgia, has been marked by features of a peculiar character, and plainly indicating a force and power in the former which should have formed the subject of concern, if not alarm, to our sister States. But we regret to say that the very reverse has been the fact, and a cold, if not a reproachful indifference, has taken the place of much more deserved regard.

We are not unapprised of the influence of power, nor are we unmindful of the forbearance claimed from weakness; but we did believe that the structure of the Federal Government was such, its foundations so laid, as we fondly hoped, in the best and most generous feelings of the heart, as to have protected a sister State, if not from injury and oppression, at least from unnecessary insult and contempt.

Your committee speaking, as it sincerely believes, the sentiments of the Legislature of Georgia, cannot but imagine that our wrongs are neither known nor felt, or if either, in so light a degree, as to be entirely misunderstood by our sister States.—Entertaining, as we do, the most exalted veneration for the Union, in reference to its government, and the most unaffected attachment for the States in relation to the kindred affections, interests and habits which bind us together, and believing that these bland relations are wholly reciprocal, we are at a loss to conceive how our repeated complaints have fallen upon the ear of such benevolence with so much apathy; and our remonstrances turned aside with so little concern. It cannot be accounted for upon any other rational principle, than the one which is just suggested.

It is not now the intention of your committee to betray a clamorous spirit of complaint. The regard which they feel for the dignity and honor of the State they represent, would, of itself, sufficiently admonish them to avoid such a course; but when to this is added the fact, which we can in great truth affirm, that we have not a single discontent against the Federal Government, considered in relation to its legitimate powers, there can be no necessity to swell our murmurs beyond the immediate acts, which, as we conceive, have rather sprung from the abuse, than the exercise, of acknowledged right. In the good feeling and sincerity of the States, we have the most undoubted confidence—in the integrity of purpose, honesty of motive, and fidelity of service of the National Legislature, we cannot feel one distrustful emotion. Before that body we believe we can be respectfully heard, and to that body, we as firmly believe the crisis has arrived when it becomes necessary to prefer a solemn appeal. And we would premise, in a temper of perfect respect, but of not less decisive earnestness, that it is a sovereign, and not a subject that sues; it is an

equal an not an inferior that remonstrates ; it is an independent member of the Union, and not the subordinate creature of a family that complains. It is not for forfeited privileges we supplicate, but we seek the redress of violated rights, and in this, we cannot for a moment suppose, that the States in Congress assembled, could desire to see us approach them in any other manner than that of an open, honest and confident avowal of our grievances.

The *Executive Department* of the General Government has, in fact and principle, distinctly asserted, that the States have not the exclusive jurisdiction of the soil within their chartered limits ; that the Indians and the territory occupied by them, within the recognised and admitted boundaries of States, originally independant, and so acknowledged by Great Britain, belong to the exclusive management and control of the General Government ; and that the States have no right to exercise jurisdiction over the one, or interfere with the other. It has not only asserted the right to prevent a State from exercising jurisdiction within its limits, but it has given open proof of the fact, that it will become the ally of the Indians against one of its own family, and will actually wage war in the very bosom of a State, for what, in its own mere discretion without regard to the opinion of the opposing State, may be deemed an infraction of the Federal Constitution :—Thereby, at once establishing this monstrous doctrine, that the General Government can and will connect itself with foreign nations in acts of hostility to the local measures of the States, and consequently turning their own power and resources against themselves. The principle is avowed, nay, confirmed by the fact, that an armed force may be directly employed against a State, before recourse is had to the civil authorities of the Government to correct whatever real or imaginary violation of law may be thought to exist ; thus using at once, the strong arm of power in preference to the milder and more moderate course of legal investigation ;—a resort that deprives the citizen of the valued right of trial, involves the country in all the horrors of war, and can only terminate in the most unspeakable disasters. It has assumed the prerogative to dispense with the established laws of the land upon its own unconditional pleasure, taking upon itself the sole right to judge when they shall or shall not be executed, prejudging cases without a hearing, and screening offenders without a trial. There is a public law of the land, wisely intended for the harmony of the Union, providing for the protection of the State authorities against the insult and abuse of the military establishment of the General Government—an institution always haughty in its deportment, and often dangerous in its purpose. A just complaint was preferred against a general officer of the Union, under this well known law, for acknowledged insult and contumely offered to the Governor of the State ; and, though a trial was formally demanded, it was as formally refused upon the ground that the first insult was given to the officer ; and yet a much more meritorious officer for resenting an outrage, not upon himself, but upon his country, was not only tried but disgraced, at the instance of a petty Spanish Province. So far as relates to the States, the principle is now settled, that in all future cases, for the protection of his officers, the President will be the exclusive judge of the nature, degree and justification of their

crime, before it shall be submitted to the authorised and competent tribunals of the country, thereby making the law a perfect nullity and its object a still more vexatious mockery. It has asserted the principle, and confirmed it by the authority of practice, that the Federal Government is not founded in public opinion, or the just wishes and interest of either State or people, and that the views and inclinations of public functionaries, will be consulted and promoted in preference to the people, whose servants they are, and officers will be kept in power and made to rule over us, manage and direct our affairs, long after they have become perfectly odious, against our will, against our interest, against our solemn and repeated remonstrances, and, what is more intolerable, when it is well known that their outrages and oppressions come mixed with the most insupportable insult and derision.

An Officer of the General Government has been stationed near the limits of Georgia, in charge of interests highly important to the State, where she was almost exclusively concerned, and, in the execution of his trust, he has been so studious and unwearied in opposition to the feelings and wishes of Georgia, that he has sought every occasion to thwart her views, defeat her designs, degrade her character, and this too, in direct contravention of the avowed, and it was hoped, sincere policy of his own government. The Executive of this State has respectfully and earnestly remonstrated against the continuance in office of a man so lost to the duties of his station, and so unmindful of what was due to his own government. This remonstrance has been thrice repeated by successive Legislatures, of all parties and all interests in the State, and yet it has been treated, if not with sheer contempt, at least with the most profound and unmoved indifference—thereby, evincing that the public good weighs nothing when it conflicts with the interest of the public servant, or the ambition of his irresponsible master. It has asserted in principle, which is also not without the aid of fact, that it can make and break treaties at pleasure, without regard to the interest and desire of States, notwithstanding such treaties are exclusively confined to the rights of States, not in their federative but individual character—rights intimately connected with their safety, inseparable from their sovereignty, and thoroughly identified with their territory and jurisdiction. The original territorial, and jurisdictional rights of Georgia, are deeply and obviously founded in her acknowledged independence, by Great Britain, and long acquiesced in by the other States upon the most mature and solemn deliberation. Though she has formed a compact with her sister States, yet in every stage of that much debated question, from the unsuccessful experiment of articles of confederation to the still stronger obligations of a national constitution, she has inflexibly reserved the rights of territory and jurisdiction, as received from the hands of conquered Britain, and she has never relinquished one particle of either to the Union or any other Government whatever. With the exception of the territory, now forming the States of Alabama and Mississippi, every instrument between them may, in vain, be searched for the least concession that will falsify this advisedly made and deliberate declaration.

By the cession just referred to, the rights of Georgia received an additional confirmation, if such could have been needed, for it gave the most unanswerable proof that the General Government conceived our title, both to soil and jurisdiction perfectly unquestionable. By purchasing part of our soil, they admitted the remainder to be ours—by promising to extinguish the Indian title to a permissive occupancy, they acknowledged that we had that previous right; for it must exist somewhere. Before this cession, they had no such right, consequently it was a concurrent right derived from us, obviously obtained by our consent; and our consent as obviously implies an original right, the exercise of which conclusively settles the question of jurisdiction. Apart from this view of the subject, if we have ever divested ourselves of this right we claim an inspection of the instrument by which it was effected. Under this contract then, for we affirm it can be found no where else, it is most wrongfully assumed, by the Executive Department of the General Government, that the Indians and their lands, within the chartered and conventional limits of Georgia, passed into the exclusive care and superintendence of the National Government, and that we dare not further interfere with either, unless we are prepared to break down the legion of federal power, or have strength enough to overcome its military arm. By virtue of these articles of cession, and, as it now seems in pretended compliance with their obligations, a treaty was held at the Indian Springs in 1825. It was constitutionally ratified, formally promulgated, and as deliberately notified to Georgia. The State, believing that under all its rights, both original as well as those recently acquired for her use, by the General Government, there could be no difficulty in proceeding to a disposition of the territory, with a view to its final occupation and improvement—an object, though long, and to her political standing and interests, injuriously delayed, yet not the less urgent and desirable—passed a law, in the succeeding June, for its distribution among her waiting and patient citizens. Every thing was done, that she could rightfully do, and we regret to say, was permitted to be done, by the superior, not to say capricious, power of the General Government, to realise the full enjoyment of this property, the right to which seemed clearly to have lost its expectant, and had assumed an absolute vested character. Yet, in the face of all right both sovereign and vested, was another treaty held and concluded, at Washington, with an entirely different party, though belonging to the same nation, and all the rights acquired by the first became abrogated and annulled, and Georgia was required to withhold her possession of any other land than that which was specially permitted by the last. It is now fully ascertained, that all the land of the first treaty is not contained in the second, and it seems to be as fully resolved that what the second embraces, is all that the State shall, upon her peril, receive.

Your committee cannot but view this as a most appalling state of things. It believes, and so it is persuaded, every ingenious mind will believe, that right is with, but power is against us; and that the former, as all history will mournfully attest, can never successfully contend against the latter. It is a matter of anxious and fearful contemplation what must be the result of this collision, if we fail to enlist

the well known justice and prudence of that part of the General Government to which we have now been compelled so reluctantly to appeal.

In order to place this question in a point entirely within the reach of every capacity, we would make but one remark. Could the General Government have annulled the treaty of the Indian springs, by a treaty, in which we were to acquire no lands at all, and by which we were to be placed, as formerly, at their perfect pleasure and convenience for another acquisition? We presume no one will answer in the affirmative—Indeed the General Government did not so conceive; for it gave the Indians decidedly to understand that the first treaty would not be revoked, without a large cession of lands to Georgia; and we have no doubt that the Senate of the United States, acting under an honest and just sense of our rights, confidently believed that the second treaty conferred upon us all the territory claimed from the Creek Nation of Indians. Now, if this proposition be undeniable, can any treaty be either just or constitutional that leaves out one single acre of the former purchase? For it is impossible to conceive of the justness of a rule, in the application of which, it would be good or bad, as to the whole, and not as to a part.

As another most astonishing result, arising from this power, claimed for the General Government, of managing and controlling the Indians and the lands occupied by them, within the chartered limits of old States, is absolutely denied to the State of Georgia to enter the Cherokee Nation either to ascertain the boundary between herself and her sister State, or to take any measures connected with the internal improvement of the State; and this, too, within her well known and acknowledged limits. Indeed this doctrine is so very strange not to say alarming, that it requires no small degree of faith to give credit to an assumption so wild and extravagant; and therefore your committee, for the information of its own citizens, as well as to enlighten our fellow-citizens abroad on the subject of our wrongs, supposed by many to be fancied, would beg leave to embody the evidence of the fact in this Report. The Governor, in a letter to the Secretary of War, states, "that our Chief Engineer engaged in a reconnoissance under orders, and within the unsettled limits of Georgia has been stopped by the Cherokees, and his further progress threatened to be arrested by force—and further, these infatuated and misguided people threaten to resist by force the execution of the measures concerted by the Governments of Georgia and Alabama for ascertaining the dividing line between the two States." In answer to this letter the Secretary of War states, distinctly, that it is the opinion of the President that these measures cannot be effected without the consent of the Indians, and concludes, "the President is persuaded that this consent may be obtained by amicable and pacific means. If, however, it cannot, he deems a resort to coercive measures as altogether unwarrantable. If, in the justness of this view, the constituted authorities of Georgia should coincide, it will be gratifying to the President. But, to guard against the consequences of different views, on their part, he feels himself required to protest, in the name of the U. States, against the use of forcible and hostile means to effect the purposes referred to in your letter."

These are some of the chief powers assumed by the General Government, over the rights of Georgia; but there are very many circumstances of peculiar aggravation attending their exercise, which have given keen and deep felt mortification to the feelings of Georgia.—As a sovereign State, in connection with others, as we fondly hope, upon terms of the most sincere regard and affection, all looking, with no common solicitude to the maintainance of their own rights and dignity, we cannot but believe we shall kindle a sympathy strong enough at least, to put down the force of prejudice, too successfully arrayed against us, though we may ultimately fail in challenging a just and returning respect for our much abused and neglected privileges. We have been insulted by petty agents—we have been brow beaten and derided by Indians. Our chief magistrate at home, and our representatives in Congress, while in the public service and under the very eye of the General Government, have been compelled to brook the insolence of half breeds—we have been prevented, nay ordered to desist, from surveying our own lands, when no possible harm could ensue, and when too the General Government, under precisely similar circumstances, was carrying on its own surveys, among Indians unremoved from recently acquired lands—a privilege heretofore uninterruptedly enjoyed by every new and frontier State, and questioned only for the first time, in the case of Georgia, one of the original *'thirteen States'*—We have had our Indian Allies, those who long defended Georgia, from the tomahawk of the very Indians who are now so high in favor, murdered in cold blood, their families exiled from home, made wanderers and outcasts from the very country, which but nine years ago, was declared to be exclusively theirs, under the plighted faith and solemn written guarantee of the General Government, and all these misfortunes, cruelties, and hardships they have been destined to endure, from no other cause, as we verily believe, than that of being the unwerving friends of Georgia. These are reflections that cannot fail to inspire the most touching sensibility, there is a point and anguish in their effect, which perhaps it were better to suppress than to vent; and though in silencing their upbraidings, a severe reproach is spared to the national character, yet it will be well understood by every candid mind, as it must be certainly felt by every honest bosom.

We cannot but trust that the authority to which we have now referred these unhappy differences, will duly appreciate the motive as well as the object of this appeal. Our reliance is upon the wisdom and justice of the nation. We want nothing more than we would be willing to grant; and if we know our own hearts, there is not a grievance we have enumerated, which if offered to any of our sister States, we would not promptly resent and redress, and, risking every thing, feel it a bounden duty to make common cause with the injured party. We want nothing that does not fairly belong to the State sovereignties. To whatever our sister States will submit, in that we must acquiesce; if they would be contented with the treatment Georgia has received, and will come out with a public declaration of the fact, from that moment our complaints are hushed. We threaten no consequences—it would be idle and vain to do so. The loss of confidence and affection, by reason of neglect and disappointment,

consequence enough to a reflecting nation ; and a high minded and generous people, cannot turn from such a result, without emotions of the deepest regret.

Under this view of the subject, your Committee beg leave to offer the following Resolutions :

Resolved, That Georgia owns exclusively the soil and jurisdiction of all the territory within her present chartered and conventional limits, and, with the exception of the right to regulate commerce among the Indian tribes, claims the right to exercise, over any people white or red within those limits, the authority of her laws, as she in her wisdom may think proper ; and that she has never relinquished said right either territorial or jurisdictional to the General Government, in any manner or by any instrument whatever, and the exercise of such right, by said last mentioned Government, is illegal, unwarrantable and unjust.

Resolved, That threatening a State with an armed force, and actually attempting to carry said threats into execution by stationing the military on its borders, whether the conduct of the State thus sought to be overawed, be right or wrong, is contrary to the spirit and genius of our Government, a fundamental principle of which, is that the military is subordinate to the civil authority : the former being the instrument of fatal necessity makes a resort to the latter always indispensable in the first instance ; any other course is destructive of free government, subversive of State rights and tending to the complete annihilation of State sovereignty.

Resolved, That the refusal to arrest and punish a military officer of the General Government, who had grossly violated a law of the land, in abusing and insulting the highest authorities of a State, is, as we conceive, an abuse of office, and if not properly atoned for, will and ought to leave this lasting reproach upon the nation, that even in republics, the law affords no protection against the views of power or the resentments of ambition.

Resolved, That the retention of a civil officer in power, after earnest and repeated solicitations for his removal, from a sovereign State, through its highest authorities, in which there was uncommon unanimity, and after too it was known to his government that he was not only opposed to its own views, but was extremely inimical to the interests of the State, in which he was placed, and highly insulting to her public functionaries, is an instance of contempt for the opinion of a State, and a disregard for the welfare of a large portion of the community, highly dangerous to the principles of representative government, where the public servant acts for the people and not for himself, and where, as soon as he becomes obnoxious to their interests, he ought to be removed.

Resolved, That the attempted abrogation of the treaty of the Indian Springs, by the treaty of Washington, in so far as it divested the State of Georgia of any right acquired under the former, is ille-

gal and unconstitutional, and we feel the utmost confidence, that when the General Government comes to be informed that Georgia is deprived of lands to which she had an unquestionable claim by virtue of the first treaty, it will think with us in this regard ; and, actuated by its accustomed sense of justice, will take speedy steps to remove all obstructions to the full enjoyment of this, at present, contested right.

Resolved, That the assertion of the President that we have no right to enter the Indian country within our own limits, for the purpose of ascertaining boundary and effecting measures connected with the peaceable objects of internal improvement, without the consent of the Indians, is a doctrine which this State will not admit, and against which it does most solemnly protest.—In this she has ever had the confidence of the support of her sister States, especially those which have so long and so uninterruptedly enjoyed a similar right. An assertion of this kind, and his solemn protest against any measures contemplated by the State to exert her right over this necessary and essential part of her sovereignty, is an instance of dictation and federal supremacy unwarranted by any grant of power to the General Government, and which we trust and believe the national legislature will promptly disavow.

Resolved, That a separate copy of this report, with the documents necessary to support the facts therein detailed, be forwarded by his excellency the Governor to our Senators and Representatives in Congress, to be by them respectfully presented to each branch of Congress, with a request that they use their best exertions to have redressed the grievances of this State, in the various particulars to which this report has reference, and for the future harmony of the States, request of that body to make an explicit declaration of the rights that belong to the National Government and those which belong to the State of Georgia, (and consequently the other States,) resulting from the immediate differences of opinion specially enumerated in the foregoing report.

Resolved, That his excellency the Governor be requested to forward also a copy of this report and the documents, to the Governor of each State in the Union, with an earnest and respectful request that he lay the same before the legislature of his State ; and that we are hereby most affectionately and respectfully solicited to express to this State, whether they are prepared to admit the foregoing principles and the powers growing out of them as belonging to the General Government, and whether Georgia is bound and must submit to the treatment which she conceives she has most wrongfully sustained at the hands of the Executive Department of the General Government;

Which being read was ordered to lie on the table.

On motion of Mr. Hoxey,

Resolved. That four hundred copies of the said Report be printed for the use of the legislature.

The bill assenting to and confirming a purchase made by the United States of a piece of land situated near Augusta, Georgia, and ceding the jurisdiction over the same—Was read the second time and ordered for a third reading.

The bill to tax money and exchange brokers, or any person, by whatever name they may be called, who make a business or profession of buying or selling money or bank bills or exchanging the same for a profit—Was read the second time and ordered for a committee of the whole.

The bill to consolidate the academical and poor school fund set apart for Decatur county, and the same become a poor school fund—Was read the third time and passed.

The senate took up the bill to form a new county out of parts of Houston county and the second section of the newly acquired territory, and to organise the same—when

On motion of Mr. Wellborn,

It was ordered to lie on the table the balance of the session.

The senate resolved itself into a committee of the whole on the bill to extend the time for district surveyors to make their returns in the contemplated land lottery, and to authorise the Governor to fill vacancies in cases therein mentioned, Mr. Blackstone in the chair.

The president resumed the chair, and Mr. Blackstone reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

And on the passage of the bill, the yeas and nays being required—Are yeas 37, nays 14.

Those in the affirmative are,
Messrs.

Allen	Clayton of Clark	Ray
Alston	Clayton of Pulaski	Scarborough
Baker of Liberty	Dyall	Scarlet
Baker of Warren	Footman	Smith
Blackstone	Frazer	Strawn
Blair	Groves	Thomas
Broadnax	Harman	Tippins
Brown of Camden	Horn	Williams
Brown of Decatur	Janes	Wimberly
Brown of Monroe	Knight	Wynn of Gwinnett
Brockman	Love	Wynn of Hall
Burgille	Powell of Rabun	Young
Choice		

Those in the negative are,
Messrs.

Anderson

Joice

Walker

Coffee
Foster
Harris
Hendrick

Matthews
Porter
Spann
Sellers

White
Wellborn
Wooten

The senate took up the report of the committee of the whole, on the bill for the division of Upson county into electoral districts, which was amended and agreed to.

The bill was read the third time and passed, under the title of a bill for the division of Upson county into electoral districts, and to establish an additional election district in Rabun county.

The senate took up and agreed to the report of the committee of the whole, on the bill to amend the 14th section of an act, passed the 9th day of June 1825, to dispose of and distribute the lands acquired by the United States, for the use of Georgia, of the Creek nation of Indians, at a treaty made and concluded at the Indian Springs on the 12th day of February, 1825.

The bill was read the third time.

And on the question for its passage—the yeas and nays being required, it was determined in the affirmative. The yeas are 27, the nays are 23.

Those in the affirmative are,
Messrs.

Alston
Baker of Warren
Blackstone
Blair
Brown of Decatur
Choice
Clayton of Clark
Coffee
Footman

Foster
Frazer
Harmon
Hendrick
Joice
Matthews
Powell of Rabun
Porter
Spann

Sellers
Smith
Strawn
Thomas
Walker
White
Williams
Wooten
Young

Those in the negative are,
Messrs.

Allen
Anderson
Baker of Liberty
Brown of Camden
Brown of Monroe
Brockman
Cargille
Clayton of Pulaski

Dyall
Groves
Harris
Horn
James
Knight
Love
Ray

Scarborough
Scarlet
Tippins
Wellborn
Wimberly
Wynn of Gwinnett
Wynn of Hall

The following bills of the house of representatives, were read the second time and ordered for a third reading :

The bill for the relief of Benjamin T. Rees and Talbot S. Rees, of Columbia county.

The bill to alter and amend the road law, in reference to the duty of commissioners, and for other purposes, so far as respects the county of Elbert.

The bill to change the name of John Beller to that of John McDaniel.

The bill to legitimate William Rose, formerly Wm Flaherty, and make him the legal representative of Thomas G. Rose, of Upson county.

The bill to incorporate the Oak Grove academy, in the county of Logan.

The bill to incorporate Corinth academy, in Baldwin county.

The bill to alter and amend so much of an act regulating the general elections of this state, and appointing the time of the meeting of the general assembly of this state, so far as the same requires the elections to be held at the place of holding the superior courts, so far as respects the counties of Hall, Richmond, Henry, De Kalb, and Spalding—and to amend an act passed the 18th of Dec. 1816, relating to the county of Franklin, so far as respects the separate election before held at the house of Samuel Armstrong, in the county of Forsyth.

The bill to amend an act, passed the 9th day of December, 1824, to divide Emanuel county and Eatnall into election districts, so far as respects the county of Emanuel.

The following bills of the house of representatives, were read the second time, and ordered for committee of the whole :

The bill to amend an act appointing vendue masters for the city of Augusta, passed the 21st Dec. 1819.

The bill to authorise a lottery for the benefit of Wrightsborough Seminary, in Columbia county.

The bill to legitimate and change the name of Joseph P. Long to that of Joseph Parsons.

The bill to enable feme coverts to convey their estates, and for confirming and making valid all conveyances and acknowledgements before made by feme coverts, passed April 14th, 1760, so far as the same relates to feme coverts conveying their dower.

Mr. Baker had leave to report instantler a bill to incorporate and make certain rights in Moneghan academy, in Warren county. Which was read the first time.

The Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, 8th December, 1825.

On motion of Mr. Blair to reconsider so much of the journal yesterday as relates to the adherence of Senate to the amendment so much of the bill of the house of representatives, to amend an entitled an act, amendatory of an act passed the 9th day of July 1825, to dispose of and distribute the lands lately acquired by United States for the use of Georgia of the Creek nation of Indians by a treaty made and concluded at the Indian Springs on the day of February, 1825, as respects the fourth section of said bill was determined in the affirmative; and the yeas and nays being quired, are yeas 35, nays 26.

Those who voted in the affirmative are;

Messrs.

Allen	Frazer	Spann
Anderson	Groves	Scarlett
Baker of Warren	Harris	Smith
Beall	Hendrick	Strawn
Blackstone	Hoxey	Tennille
Blair	Joice	White
Broadnax	Jones	Witt
Brown of Decatur	Matthews	Williams
Brown of Hancock	Mitchell	Wimberly
Burney	Powell of Rabun	Wynn of Gwinnet
Clayton of Pulaski	Porter	Young
Foster	Scarborough	

Those who voted in the negative are,

Messrs.

Alston	Daniel	Powell of McIntosh
Baker of Liberty	Dyall	Ray
Brown of Camden	Footman	Sellers
Brown of Monroe	Harman	Thomas
Brockman	Horn	Tippins
Cargille	Janes	Walker
Cnoice	Knight	Wooten
Clayton of Clarke	Lawson	Wynn of Hall
Coffee	Love	

On motion of Mr. Clayton, of Clarke, to reconsider so much of the journal of yesterday as relates to the concurrence of the Senate in the amendment made by the house of representatives to an act so far as relates to the following section, to-wit :

And be it further enacted, That all unmarried females, not less than twenty years of age, of the age of eighteen years and over, shall be entitled to draw upon taking the following oath, to-wit : "I, A. B. do solemnly swear that I am a single woman and have never been married, and have resided three years in this State next immediately pre-

the first day of January, 1827, have never drawn in any previous lottery, and have arrived at the age of eighteen years—So help me God. And on the question to reconsider, it was determined in the negative.

The yeas and nays being required are—yeas 30, nays 31.

Those in the affirmative are,

Messrs.

Alston	Daniel	Porter
Blackstone	Footman	Ray
Broadnax	Foster	Scarborough
Brown of Camden	Harman	Scarlett
Brown of Hancock	Harris	Tennille
Brockman	Hendrick	Tippins
Cargille	Janes	Walker
Choice	Jones	Witt
Clayton of Clarke	Matthews	Wynn of Hall
Coffee	Powell of McIntosh	Young

Those in the negative are

Messrs.

Allen	Frazer	Spann
Anderson	Groves	Sellers
Baker of Liberty	Horn	Smith
Baker of Warren	Hoxey	Strawn
Beall	Joice	Thomas
Blair	Knight	White
Brown of Decatur	Lawson	Williams
Brown of Monroe	Love	Wimberly
Burney	Mitchell	Wooten
Clayton of Pulaski	Powell of Rabun	Wynn of Gwinnett
Dyall		

The senate took up the reconsideration of this morning, on the 4th section of the bill to amend an act, entitled an act, amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia of the Creek nation of Indians, by a treaty made and concluded at the Indian Spring on the 12th day of February, 1825. And on motion that the senate recede and concur with the House of representatives in retaining said fourth section as a part of said bill, it was determined in the affirmative.

The yeas and nays being required, are yeas 35, nays 26.

Those in the affirmative are,

Messrs.

Allen	Foster	Spann
Anderson	Frazer	Strawn
Baker of Warren	Groves	Tennille
Beall	Harris	Thomas
Blackstone	Hendrick	White

Blair	Hoxey	Witt
Broadnax	Jones	Wellborn
Brown of Decatur	Matthews	Williams
Brown of Hancock	Mitchell	Wimberly
Choice	Powell of Rabun	Wynn of Gwinnett
Clayton of Pulaski	Porter	Young
Footman	Scarborough	

Those in the negative are,
Messrs.

Alston	Daniel	Powell of McIntosh
Baker of Liberty	Dyall	Ray
Brown of Camden	Harman	Sellers
Brown of Monroe	Horn	Smith
Brockman	Janes	Tippins
Burney	Knight	Walker
Cargille	Lawson	Wooten
Clayton of Clark	Love	Wynn of Hall
Coffee		

Mr. Daniel from the committee appointed to investigate the circumstances of the printing with the reports concerning the state of the Darien bank, a certain private letter from Anson Kimberly to Allen B. Powell, together with other papers, all unknown to the senate when the said reports were ordered to be printed—reported,

That they have taken the testimony of persons supposed to be knowing in some way to these circumstances, and which is herewith submitted. At these examinations, Mr. Powell was present, and allowed to question the witnesses. It is admitted by all, that the chairman of the joint committee on printing, received the papers which were printed from Mr. Powell, the chairman of the joint committee on banks. To bring this subject properly under review, it will be necessary to recur to some transactions in the joint committee on banks. The sub-committee of that joint committee to whom was referred the statement of the president of the Darien Bank, made a report on Friday last, in which it was recommended that the statement of Mr. Spalding and Dr. Troup, and that of Mr. Atkinson and Maj. Wood, should be printed. These reports were handed in to the joint committee with the report, unaccompanied by any other papers—The following Saturday morning that report, having been adopted by the joint committee, was made to the senate by Mr. Powell, chairman of that committee. It referred only to the statements of Spalding and Troup, and of Atkinson and Wood, and consequently could, in its recommendation to print, embrace these statements alone—In fact, as appears by the testimony of Dr. West, no other papers were known to the sub-committee who made the report or the joint committee who adopted it—The order of the senate to print, could alone embrace what was recommended by the joint committee. It is equally certain that there were no other papers known to the senate, and consequently that body could never be considered as directing that to be printed, the existence of which had not even been imagined by it—it follows then that no other papers were or

dered by the senate to be printed, than the statements of Mr. Spalding and Dr. Troup, and of Mr. Atkinson and Maj. Wood, and consequently that the private letter of Mr. Kimberly, the minutes of the board of the Darien bank, and the rejected report of Dr. Troup, were printed without any order from the senate, and in violation of propriety—Hence it is evident that Mr. Powell, in giving these papers to the chairman of the joint printing committee, acted without authority and upon his own responsibility. Indeed, in a letter to the chairman of your committee, Mr. Powell admits that the Senate only ordered the printing of the statements of Spalding and Troup, and of Wood and Atkinson.

Mr. Powel claims that he did not intend to have the private letter of Mr. Kimberly printed, that through mistake he gave it instead of the official one herewith submitted. The evidence which your committee have taken, are far from sustaining Mr. Powell in this ground. Dr. West states that “he had a conversation with Mr. Powell as to the private letter; that from that conversation he thinks Mr. Powell must have known he had given him (Dr. West,) the private letter.” On Wednesday night, Mr. Powell “spoke about the private letter”—On Thursday morning Dr. West saw the official letter—“at that time Mr. Powell expressed his regret that the private letter had been published instead of the official one”—Mr. Harmon states “that last Wednesday evening, when he stated to Mr. Powell that the papers must have been published through mistake, Mr. Powell made no reply—this (Thursday) morning, Mr. Powell brought the letter into the Jefferson room that was read this (Thursday) morning in the Senate, and stated that was the one he intended to have been published”—Mr. Holt testifies “that between 3 and 4 o’clock P. M. of Wednesday, upon Mr. Powell’s being told that a “call had been made to know how that letter had been published, Mr. Powell replied, he could satisfy the gentleman—Mr. Scarlett then rose, got the document, and handed it to Mr. Powell, who read it and made no remark about it, nor evinced any surprise.”

From these statements, your committee have come to the belief, that the private letter of Mr. Kimberly to Mr. Powell, was given by the latter to the chairman of the printing committee with *intention* and to the end that the same should be printed.

Which was read, and on motion of Mr. Tennille, ordered to lie on the table for the present.

The senate took up the resolution of Mr. Scarlett relative to certain elections, which was amended to read as follows, and agreed to.

Resolved, That both branches of the General Assembly will convene in the representative chamber on Wednesday next, at 3 o’clock P. M. for the purpose of electing a principal keeper and three inspectors of the penitentiary.

On motion of Mr. Jones,

The senate took up the following resolution :

Be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That the justices super-

intending elections at the next general election for members of the legislature, shall require such voter who shall be in favor of laying out the State into congressional districts, to write the word "District," on the back of his ticket, and all tickets on which that word is not written, shall be considered as opposed to districts, and a return shall be made by the said Justices accordingly to his excellency the Governor, to be laid by him before the next legislature, in order that they may act advisedly on the subject—when

Mr. Sellers offered the following as a substitute.

Be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That the Justices superintending elections at the next general election for members of the legislature, shall enquire of each voter whether or not he is in favor of laying out the State into congressional districts, and shall request such voter to designate his opinion thereof, by endorsing on the back of his ticket the word "District," or "General ticket," and that a true return thereof shall be made by said Justices to the Governor, within twenty days from the day of the election, to be by him laid before the next general assembly, in order that they may act advisedly on the subject.

On motion of Mr. Clayton, of Clarke, to lay the original resolution and substitute on the table the balance of the session, it was determined in the affirmative.

The yeas and nays being required, are yeas 37, nays 23.

Those who voted in the affirmative are,
Messrs.

Allen	Coffee	Spann
Alston	Dyall	Scarlett
Anderson	Groves	Sellers
Baker of Liberty	Horn	Smith
Beall	Hoxey	Strawn
Blair	Janes	Tennille
Brown of Camden	Knight	Thomas
Brown of Decatur	Love	Tippins
Brown of Hancock	Matthews	Walker
Brockman	Powell of McIntosh	White
Clayton of Clarke	Powell of Rabun	Wimberly
Clayton of Pulaski	Porter	Wooten

Those in the negative are,
Messrs.

Baker of Warren	Foster	Ray
Blackstone	Frazer	Scarborough
Broadnax	Harman	Witt
Brown of Monroe	Harris	Wellborn
Burney	Hendrick	Williams
Cargille	Jones	Wynn of Gwinnett
Choice	Lawson	Wynn of Hall
Footman	Mitchell	Young

Mr Sellers from the committee on the petition of the trustees of Henry county academy, reported—

That they believe the prayer of the petitioner is reasonable and ought to be granted, and recommend the adoption of the following resolution :

Resolved, That the sum of seven hundred dollars be loaned for one year from and after the twenty fifth day of December next, from the treasury of this State to the trustees of Henry county academy, for the purpose of enabling them to secure their academy edifice, and that the same be placed in the appropriation law : *Provided*, that the said trustees shall not be entitled to receive the same, until they shall have executed to his excellency the Governor a mortgage of said edifice for the purpose of securing the State in the payment of said loan, and six per cent. interest thereon, which mortgage may be executed either before the Justices of the Inferior courts of Henry county, and transmitted to or taken by his excellency the Governor ; and as a further security to the State, and for the purpose of reimbursing herself for the above loan, the Governor is authorised to retain for the State and to be credited on the above bond, whatever sum may be due the said academy on account of the fund annually set apart for the benefit of academies in this State by any law whatever, until the same be paid.

On motion of Mr. Wimberly to lay the report on the table the balance of the session, it was determined in the negative

The yeas and nays being required, are yeas 27, nays 31.

Those in the affirmative are,
Messrs.

Allen	Cargille	Powell of Rabun
Anderson	Foster	Ray
Baker of Liberty	Hendrick	Thomas
Baker of Warren	Horn	Tippins
Beall	Janes	Witt
Blair	Jones	Williams
Brown of Decatur	Knight	Wimberly
Brown of Monroe	Love	Wooten
Burney	Matthews	

Those in the negative are,
Messrs.

Alston	Dvall	Scarlett
Blackstone	Footman	Sellers
Broadnax	Frazer	Srawn
Brown of Camden	Groves	Tennille
Brown of Hancock	Harris	Walker
Brockman	Hoxey	White
Choice	Joice	Wellborn
Clayton of Clarke	Porter	Wynn of Gwinnett
Clayton of Pulaski	Scarborough	Wynn of Hall
Coffee	Spann	Young
Daniel		

Ordered, that said report lay on the table for the present

Mr. Broadnax from the committee appointed, reported a bill to authorise Stephen M. Ingersoll to erect a bridge across the Chattahoochee river.

Which was read the first time.

Mr Groves from the committee on enrollment, reported as duly enrolled and signed by the speaker of the house of representatives,

An act to repeal the third section of an act, entitled an act to alter and amend an act, entitled an act to alter and fix the time of holding the Superior and Inferior courts in the several judicial circuits in this State, and to add the county of Madison to the northern, and the county of Bulloch to the eastern, and the county of Columbia to the middle circuit, passed the fourteenth of December, eighteen hundred and nineteen, so far as relates to the times of holding the Superior courts of the middle circuit, and to alter the laws on the subject of drawing and arranging grand and petit jurors, so far as relates to the county of Richmond, and

An act to alter the time of holding the Superior court in the county of Columbia, and the winter session of the Inferior court, and for other purposes.

Which were presented to and signed by the president of senate.

Ordered, that the committee on enrollment do carry said acts to his excellency the Governor for his approval.

Mr. Burney from the committee to whom was referred the communication of the honorable John Maspherson Berrien to the president of the senate, enclosing the memorial of Jonathan Elliott of the city of Washington—Reported,

That they have had the same under consideration and beg leave to report, that by said memorial it is proposed by Mr. Elliott to publish the debates, resolutions and other proceedings in all the original thirteen States, on the adoption of the federal constitution, as agreed to at Philadelphia on the 17th of September, 1787, the first volume to be published in the month of January next. Your committee are of the opinion that a work of this description, if properly executed, would be productive of much important information, not only to this State but to the whole Union, embracing as it would the opinions and views of many of our most illustrious sages of the revolution on the present constitution—They therefore recommend the adoption of the following resolution :

Resolved, That his excellency the Governor be required to subscribe for copies of said work for the use of the legislature and executive department, to be paid for out of any moneys not otherwise appropriated.

Which was read and ordered to lie on the table.

The bill to repeal an act defining the duties of tax collector passed the 9th December, 1824.

Was read the second time and ordered for a third reading.

The following bills were read the second time and ordered for a committee of the whole :

A bill to organise the territory lately acquired from the Creek Indians, lying between the Flint and Chattahoochie rivers, and west of the Chattahoochie.

A bill to amend an act entitled an act, supplementary to an act more effectually to enforce an act, entitled an act prescribing the mode of manumitting slaves in this State, and also to prevent the inveigling and illegal carrying out of the State persons of color.

A bill to establish free schools in the county of Gwinnett.

A bill to separate and divorce Hannah Norman formerly Hannah Andrews, and Sherwood Norman her husband.

A bill to divorce and separate John Smith and Sarah his wife.

A bill to separate and divorce Mary Gorham (formerly Mary Avery) and Thomas Gorham her husband.

A bill to establish an additional electoral district in the county of Columbia.

A bill further to amend an act to incorporate a bank to be called the bank of the State of Georgia, passed 16th December, 1815.

A bill to alter and amend an act, entitled an act, to amend the 14th section of an act to protect the estate of orphans, and to make permanent provision for the poor, passed 24th November, 1818, so far as respects the county of Burke.

A bill to raise a tax for the support of Government.

A bill to entitle Martin Simmons and Collin Rogers to draws in the contemplated land lottery, and

A bill to incorporate and vest certain rights in Monaghan academy in Warren county.

The following bills were read the third time, and passed.

A bill assenting to and confirming a purchase made by the United States of a piece of land situated near Augusta, Georgia, and for ceding the jurisdiction over the same.

A bill to amend an act passed the 9th day of December, 1824, to lay off Emanuel county and Tattnall into election districts, so far as respects the county of Emanuel.

A bill to alter and amend so much of the act to regulate the general elections of this State, and to appoint the time of the meeting of the general assembly of this State, so far as the same requires the election to be held at the place of holding the Superior courts, so far as respects the counties of Hall, Richmond, Henry, De Kalb, and Gwinnett, and to amend an act passed the 18th of December, 1816, relating to the county of Franklin, so far as respects the separate election heretofore held at the house of Samuel Armstrong in the county of Henry.

A bill to incorporate Corinth academy in Baldwin county.

A bill to alter and amend the road law in reference to the liability of commissioners and for other purposes, so far as respects the county of Elbert.

A bill to incorporate Oak Grove academy in the county of Morgan.

A bill to change the name of John Bellar to that of John McDaniel.

A bill to legitimate William Rose (formerly William Flaherty,) to make him the legal representative of Thomas G. Rose of Upson county.

The senate resolved itself into a committee of the whole, on the bill to legitimate and change the name of Joseph P. Long to that of Joseph Parsons. Mr. Strawn in the chair.

The president resumed the chair, and Mr. Strawn reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the bill, the yeas and nays being required, are yeas 7, nays 49.

Those in the affirmative are,

Messrs.

Baker of Liberty	Powell of McIntosh	Smith
Dyall	Scarborough	Tippins
Matthews		

Those in the negative are,

Messrs.

Allen	Foster	Spann
Alston	Frazer	Scarlett
Anderson	Groves	Sellers
Baker of Warren	Harman	Strawn
Beall	Harris	Tennille
Blackstone	Hendrick	Thomas
Boadnax	Horn	Walker
Brown of Camden	Hoxey	White
Brown of Hancock	Janes	Witt
Brown of Monroe	Joice	Wellborn
Brockman	Jones	Williams
Burney	Knight	Wimberly
Cargille	Love	Wooten
Choice	Mitchell	Wynn of Gwinnett
Clayton of Clarke	Powell of Rabun	Wynn of Hall
Clayton of Pulaski	Porter	Young
Coffee	Ray	

The Senate resolved itself into a committee of the whole on the bill to tax money and exchange brokers, or any other person by whatever name they may be called, who make a business or profession of buying or selling money, or Bank bills, or exchanging the same for a profit. Mr. Coffee in the chair.

The president resumed the chair, and Mr. Coffee reported progress and had leave to sit again.

Mr. Powell, of McIntosh, laid on the table the following extract from the Journal of Saturday last,

Mr. Powell of McIntosh, from the Committee to whom was referred the report of the President of the Darien Bank—Reported,

That they have since received the two other statements of the affairs of said bank, the one by Thomas Spalding and James Troup, Esqrs. Directors, and the other by Mr. Atkinson and Jacob Wood, Esqrs. a committee appointed to make a detailed statement of the affairs of the institution. It is recommended that these reports be printed for the use of the Legislature.

Mr. White laid on the table the following resolution:

Resolved. That the reserve belonging to the State lying in the county of Upson, called Chemolly's reserve shall be annually leased out by the Justices of the Inferior court of said county, and the proceeds of the same be added to the fund of said county, set apart for the poor, to be applied exclusively to their use and benefit, as said court may think proper.

The Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, December 9, 1826.

The honorable senator from the county of Pike had leave of absence for a few days after to-day.

Upon the request of Mr. Powell, of McIntosh, the following letter addressed to the chairman of the committee appointed to enquire into the circumstances of the publication of a certain private letter, from Anson Kimberly was ordered to be journalised:

Milledgeville, Dec. 7, 1826.

WM. C. DANIEL, Esq.

Sir—I have received your letter of this day, as the chairman of the committee, touching the printing of certain papers, &c. I have to state, when I received the letter from the president of the Darien Bank, enclosing certain transactions of the board of directors, I also received a private letter from the president. I exhibited all the papers, as I thought, to my colleagues, and took a copy of the minutes of the bank as certified by John G. Bell, the Teller. This copy I shewed the speaker, Drs. Chambers and Kennon, which is the only persons I recollect of shewing them to, except my colleagues. I delivered over all the papers, as I supposed but the private letter, to Dr. West as one of the sub committee on the Darien Bank, to be used as the committee thought proper. I never received the papers back until the morning I made the report of the bank committee to the senate, and when the senate ordered the exhibit of the detailed report of Messrs. Atkinson and Wood, and the statement of Messrs. Spalding and Troup, published as certified by John G. Bell, the Teller, I

requested, I believe, Judge Clayton to ask Dr. Daniel if Messrs. Spalding and Troup's letter was also to be published. I received an answer in the affirmative. I then gave over all the papers I had received back from Dr. West, to the chairman of the printing committee, believing it would be for the best for the Legislature to have all the papers before them. And it was not until I examined attentively the printed letter, that I discovered that I had given the private letter for publication, instead of the official one.

Your obed't servant,

(Signed)

ALLEN B. POWELL.

On motion of Mr. Daniel,

The testimony taken in pursuance of a resolution of this body, relative to the publication of a certain private letter from Anson Kimberly, Esq. to Allen B. Powell, Esq. was ordered to be journalised—and is as follows :

(The Examination of Dr. West)

Dr. West states, that he had the papers referred to, to-wit: the letter from A. Kimberly to A. B. Powell, containing the proceedings of the Darien bank and the report offered by Dr. Troup and rejected—he was one of the sub-committee appointed to examine the reports of the Darien bank—he exhibited the minutes of the proceedings of the Darien bank to Mr. Harmon alone, one of the sub-committee—he has no reason to believe that he told Mr. Powell he had exhibited said papers to the chairman of sub-committee—it is his impression that Mr. Powell believed he had done so—Mr. Powell never gave the official letter of Mr. Kimberly to him (Dr. West)—he did not know the private letter would be published till after he had given the papers to Mr. Powell, and Mr. Powell told him he had given them to the printing committee—Dr. West expressed a wish that the letter of Messrs. Spalding and Troup should not be published—Dr. West has attempted to justify Mr. Powell in this business; for that the letter of Mr. Spalding and Dr. Troup was calculated to injure Mr. Kimberly, the president of the bank—that he supposed the private letter designedly published, for he knew of no other letter from Mr. Kimberly—he had a conversation with Mr. Powell as to the private letter—that from that conversation he thinks Mr. Powell must have known he had given him the private letter—he believes that if Spalding and Troup's letter had not been published, the private letter from Kimberly and Dr. Troup's rejected report would not have been published—his impression is, that last night Mr. Powell spoke about the private letter—this morning he saw the official letter—Mr. Powell at the same time expressed his regret that the private letter had been published instead of the official one.

(Cross Examined.)

He don't believe that Mr. Powell ever had any of the papers till he received them from him (Dr. West)—and the papers which he had

previously given. Dr. West on the morning the order was given for their printing—Mr. Powell told him this morning that the letter published was not the official letter which he intended to have published, and that the official letter must be there somewhere—Mr. Powell took up a package of letters and asked if they were his—Mr. King told him no, they were his (Mr. King's)—Mr. Powell then went to the table and found the official letter—from the time the sub committee was appointed, Mr. Powell has always avoided making any enquiries as to the proceedings of the committee—Mr. Powell asked him this morning if he had exhibited the papers to Mr. Harmon but had given none to the chairman but the detailed statements.

(Examined in chief again)

When he (Dr. West) named the chairman, Spalding and Troup's report and the detailed statement by Atkinson and Wood—chairman asked him if he had any more—he replied there were no more—he had the other papers, but conceived them private, and did not wish them published.

(Mr. Holt, of Jefferson, Examined.)

Mr. Holt states, he was sitting in Mr. Scarlett's room yesterday, between three and four o'clock, P. M. when Mr. Powell came into the room and took a seat—Mr. Scarlett then observed to Mr. Powell Dr. Daniel had made a call to know how that letter had come to be published—Mr. P. replied he could satisfy the gentleman on the subject—Scarlett then rose, got the documents and handed it to Powell, who read it and made no remark about it, nor evinced any surprise—stayed in the room about half hour—Mr. Powell came into the Jefferson room this morning and stated he had made a mistake—that he had had the wrong letter published, and stated that the letter he then held in his hand was the one intended for publication—he stated that last evening he had found there was something wrong, and set about to find out the error and had done it.

(Mr. Burton's Examination.)

Mr. Burton states Dr. West informed him yesterday, between 12 and 1 o'clock, that the first paragraph of Mr. Kimberly's private letter was published to counteract the second paragraph of Messrs. Spalding and Troup's letter.

(Mr. Harmon's Examination)

Mr. Harmon states that he had no knowledge of the private letter until he saw it published—he had a conversation last evening with Mr. Powell on the subject of the private letter—and told Mr. Powell that there must have been some mistake about it—and he, Mr. Powell, then told him he had given all the papers to Dr. West, and supposed that Dr. West had shewn the papers to the sub committee—he said he had gotten the papers from Dr. West back again, and he handed them to Mr. Beall without examination—last evening when he stated to Mr. Powell that the papers must have been published thro'

mistake—he, Mr. Powell, made no reply—this morning Mr. Powell brought the letter into the Jefferson room, that was read this morning in the senate, and stated that was the one he intended to have had published.

(Mr. Hansell's Examination.)

Mr. Hansell states that on the day the report of the bank committee was made, after the adjournment of senate, he either addressed Mr. Iverson L. Harris, or Mr. Harris him with regard to the documents that were referred to in that report for the purpose of furnishing them to the chairman of the printing committee, about the same time he examined for the documents but could not find them—he thinks the documents accompanying the Governor's communication on the subject of the Banks were there—he thinks the documents referred to by the report were never in his hands. Mr. Robinson immediately afterwards stated to him, Mr. Hansell, that he had received the documents from Mr. Beall, and were handed to the printer for publication.

(Mr. Moses Harris, Examined.)

Mr. Harris states, that he never saw or heard of the private letter till it was published—he states he heard a conversation last evening between Mr. Powell and Mr. Harmon—Mr. Powell stated he had handed over all the papers to Dr. West, for the purpose of being given over to the sub committee.

(Judge Clayton's Testimony.)

On the morning that the Committee on Banks made, I believe, a partial report, and requested to have certain documents printed, standing near the fire, Mr. Powell requested me to ask Doct. Daniell if he wished Mr. Spalding's letter published; I did so, and received for answer that as it was officially addressed to the Governor it ought to be published—I informed Mr. Powell of this reply, and he said he would publish the letter or letters from the President of the Bank also. Without seeing or knowing what any of the letters contained—I turned off, and there the matter ended. This was early in the morning, after the business of Senate commenced, and just after the report alluded to, was made.

The committee furnished to day the following, as additional to the former testimony.

(Mr. Holt being called again.)

States, that when Mr. Scarlett gave Mr. Powell the document, Mr. Powell took it and appeared to trace with his eyes the page containing a portion of the private letter, from Mr. Kimberly, and then turned over the leaf and appeared to finish reading the letter. Mr. Holt cannot say positively that Mr. Powell did read the letter, because he did not hear him read any thing—but thought Mr. Powell read it.

Mr. Beall presented the petition of Joseph Deik, Clerk of the Superior Court of Wilkinson county, which was read and referred to a committee consisting of Messrs. Beall, Burney and Groves.

Mr. Scarlett laid on the table the following resolution:

Resolved, That the Senate do adjourn on Wednesday, the 20th inst. "Sine Die," and that the same be transmitted to the House of Representatives for their concurrence.

Mr. Coffee from the committee on Finance, to whom was confided the duty of examining the office of the Comptroller General—Reported,

That they have performed the duty assigned them, and find the books and papers of that office kept with a neatness and accuracy highly creditable to that officer.

They further report, That from their observation of the increased duties that have devolved upon the Comptroller General, that they are convinced that it is impossible that they can be performed by that officer without the assistance of an addition Clerk.

They believe they may with safety say, that those duties are more arduous than those imposed upon any officer of the Government, and the duties and responsibilities of that officer will be materially increased during the approaching year, by the large amount of bonds and other papers which must necessarily be deposited in that office, taken for the rent of fractions and reserves, and other business devolving upon him in connection with the distribution of the late acquired territory. And what contributes more to prevent the discharge of the duties of that officer, is the smallness of the apartment set apart for his office. Upon an examination of the numerous books and papers belonging to the office, it is found that they are compelled to be packed away with any regard to order, and not being room found in the cases, shelves and other places, assigned to that office, a number of valuable papers are necessarily found placed on the front piece, and on the chair boarding of the office, where they are very much exposed and deranged.

Your Committee would therefore suggest the propriety of assigning for the use of the Comptroller General, the small office opposite the one at this time occupied by him, which has heretofore been the office of the Adjutant General, so that he might deposit the land or tax department, or any part of them as might be found convenient—And as this is an office, the faithful discharge of the duties of which, is as much or more to the prosperity of the State than any one known to our laws—They would respectfully suggest that the Legislature adopt the foregoing, so as to enable that officer to perform those duties in the best possible manner. They therefore beg leave to submit the following resolution:

Resolved, That for the purpose of enabling the Comptroller General to take due care of the books and papers in his office, and keep them filed away and labelled in proper order, that he

have assigned for his use the office opposite that which he at present occupies, which has heretofore been the office of the Adjutant General of this State, and that he be allowed to employ one clerk in addition to what he has heretofore been allowed, and that he be allowed five hundred dollars per annum for that purpose, and propose that the same be placed in the appropriation act of the present session.

Which was read and ordered to lie on the table.

Mr. Stokes presented the petition of Wm. Akins, Sr. of Morgan county, which was read and referred to the Committee on Petitions.

Mr. Spann, from the committee on Petitions, to whom was referred the petition of David Thurman—Reported,

That they have had the same under consideration, and are of the opinion that the same is unreasonable, and ought not to be granted.

Which was read and agreed to.

Mr. Spann from the same committee, to whom was referred the petition of Wm. Egan—Reported,

That they had it under consideration, and are of the opinion that the same is unreasonable and ought not to be granted.

Which was read and agreed to.

The following message was received from the house of representatives, by Mr. Dawson, their clerk:

Mr. President—

The house of representatives have passed the following bills, to wit:

A bill to authorise Henry Branham and Springer Gibson, to build milldams across the Flint river on certain conditions—and

A bill to alter and amend an act, entitled an act, to amend the road laws of this State, assented to 19th December, 1818.

They have concurred in the report of the committee, to whom was referred the subject of the dividing line between this State and the State of Alabama—and

In the resolution of Senate in favor of Charles C. Jenkins, Tax Collector of Emanuel county.

They have also passed the following bills, to wit:

A bill to amend an act for the better protection of orphans and their estates, passed on the 18th day of Feb. 1799.

A bill for the better protection of securities on appeal, on stay of execution, on recognisance, bond, note, and other contract.

A bill to alter and amend the first section of an act, entitled an act to alter and amend the 12th section of an act, to protect the estates of orphans, and to make permanent provision for the poor, passed the 18th Dec. 1816.

A bill to alter and amend an act, passed the 24th Dec. 1825, establishing paritallion district elections in the county of Burk—and

A bill to alter and fix the time of holding the Superior court in the Southern circuit.

Mr. Clayton, of Clark, from the joint judiciary committee, made the following report:

The joint committee on the judiciary, have had under consideration that part of his Excellency's communication, which recommends a revised code to be formed from the laws of this State, the common and statute laws of England, the applicable and appropriate principles of the civil law, and of the Napoleon code: and your committee entirely concur with his Excellency, in the opinion that such a work would be worthy the refinement of the age, and would be alike honorable to those who should devise, and those who should order, and provide for its execution.

A code of civil jurisprudence is a system of rules for the regulation of the individual interests of every member of the community—Rules which it behoves every man to know, and which to place as far as may be within the reach of all, we hold to be among the highest duties of the Legislature. A small part only, however of those rules, on which the rights and duties of the people of this State so immediately depend, are contained in the statute law of this State. They are to be sought for partly in the statutes of this English Parliament prior in date to the year 1776; partly in the ancient customs of the English people, and of their Saxon and Norman ancestors, which from the common law, on which their statutes are ingrafted; partly in the common or ecclesiastical law, which itself is an emanation or branch of the civil law; and partly in the law of merchants, of an international complexion in its origin, somewhat modified and adjusted in the British administration of it, to the local situation and commercial policy of England.

From sources so diversified and discordant, it is not a matter of surprize, that principles and rules of civil action with us are hidden from all but a learned profession, and that they form a subject of difficulty, uncertainty, and dispute even among them. To select from this mass the principles that experience has proved to be sound, to separate them from the several hundred volumes of obsolete or inapplicable matter, and present them to the people in an accessible and intelligible form, is a work which is emphatically called for by the interest and character of the State, and the daily occurrences throughout the whole body of the people. If there is any right more clear and unquestionable than all others, it is the right in the people to know, or to have the opportunity of knowing the laws by which they are governed; and if there exists any remaining badge of our former servitude to a foreign power, it is, that we have still to learn the extent of our rights and duties, not from our own Legislature, but from the English Parliament, and from his Majesty's Judges in Westminster Hall.

It has however been objected (and perhaps no important social improvement has ever escaped objection) that a code would be but the parent of new uncertainties, and would give occasion to new amendments. This can be true only in a limited degree, and for reasons that apply equally to all improvements of complex subjects that have any connexion with the frame and economy of civil society, for if we

were to suppose the impossible case of a perfect code, the progress of society would evolve new relations, new rights, new duties, that must be provided for as they successively arise. The objection, if valid, to the extent sometimes contended for, would prove the inutilty of all statutes—nay, the constitutions of government themselves had, on that principle, better be left to custom and tradition, and not reduced to writing, lest subsequent amendment might be necessary.

The work which we shall recommend, is to extract and condense into a volume, those rules and principles of law which are now buried in hundreds of volumes, so as to reveal and explain to the people that which hitherto, as to them, has been but a hidden mystery; and that provision be made in the code for its gradual improvement, as imperfections in its original frame may disclose themselves, or as new exigencies may arise in the future progress of society. Such a work is demanded by its obvious utility and the intelligence of the age, and is recommended by that salutary pride of independence, which would seek to receive its laws from its own Legislature, in preference to learning them of a foreign government. The experience of some of our sister States, and of at least one foreign Government has proved, that such a measure though arduous, is practicable; and its universal utility to the great body of the people is deemed too obvious to require any further illustration.

Your committee therefore recommend the passage of the act herewith reported.

Mr. Clayton, of Clark, then reported a bill to provide for the compilation of a civil code of laws of this State.

Which was read the first time.

Mr. Clayton, of Clark, from the same committee, made the following further report, to wit:

The judiciary committee to whom was referred the resolution from the Senate, requiring them “to enquire into the propriety of introducing a bill to revise, amend, and consolidate the several laws now in force for the establishment and government of courts of Ordinary, for the appointment, qualification, or government of Executors, Administrators, Guardians, and orphans, and the distribution of estates” beg leave to Report—

That the subject referred to their consideration is one of great importance, and in this branch of our laws, perhaps more than any other, revision, and consolidation, and amendment is necessary—But as there is a hope entertained, that before long, the whole of our civil code will undergo revision and consolidation.

Your committee deem it inexpedient, at this time, to legislate on that part of the code which has been referred to them.

They therefore respectfully pray to be discharged from the further consideration of the subject embraced in the resolution.

Which was read and agreed to.

Mr. Clayton of Clark, from the same committee, to whom had been referred the resolution of Senate, requesting them to enquire into the propriety of altering the judiciary system of this State, so as to make it lawful for Clerks and Sheriffs to copy, serve, and return all writs and other process delivered to them, within fifteen days, of their respective courts, except in cases of bills in equity, &c. and be returned by the Attorney twenty days before said court—Reported,

That the committee have had the same under consideration, and are of the opinion that any alteration of the law on the subject to which said resolution relates, is inexpedient, and therefore beg to be discharged from the further consideration of the same.

Which was read and agreed to.

Mr. Beall from the joint printing committee, made the following report:

The joint committee to whom was referred the resolution from Senate, instructing the printing committee to enquire into the expediency of providing by law for the public printing of the Executive Department, and the several offices of State attached thereto, so as to have the same done in the most economical manner, and to designate what shall be public printing, and what shall be done at the expense of the several officers, beg leave respectfully to Report—

That they have attended to the duties assigned them, and find that all the printing required to be executed for the Executive office, and the office of Secretary of State, the Surveyor and Comptroller General's office, and Treasurer, is charged to public account, and paid out of the Treasury. They beg leave to state as their opinion, that such printing as is executed in any of the offices for the individual convenience of the officers, or for which a fee is received, such be borne by such officers, but that such printing as becomes a record, or upon which no fee is received, or such as is required by law to be charged to public account, should be paid from the Treasury of the State.

Your committee beg leave to add the following list made out after a diligent enquiry, by which an opinion may be formed as to the enquiry touching the expediency of providing by law for the public printing of the Executive Department and the several offices of state attached thereto.

EXECUTIVE OFFICE.

Warrants and Receipts—On these we find that no fees are received, and that they are matters of record.

TREASURER'S OFFICE.

Official Receipts—These, although printed for the convenience of the officer, we consider matter of record, as the margin of each with a memorandum thereon is preserved.

Certificates to accompany commissions of civil officers—For these a fee is received.

COMPTROLLER'S OFFICE.

Pedlars Licences—For these a fee is received.

Receipts for money paid into the Treasury, and other receipts—These we class with the official receipts of the Treasurer's office.

Executions against Tax Collectors, bonds for fractions, executions for town lots in Macon, blanks for renewal of audited certificates, receipts of digest of taxes—For none of these is a fee received, and they are all believed to be necessary for the transaction of business in the office, or required by law.

SURVEYOR'S OFFICE.

Plats for Indian land, do. fractions, do. head rights, do. Macon town lots, do. duplicate plats—For all these a fee is received.

Plats for fractions sold by Sheriffs—For these no fee is received.

SECRETARY OF STATE'S OFFICE.

Commissions for Judges, members of Congress, solicitors and general officers on parchment, commissions for Justices of the Inferior court, sheriffs, coroners, surveyors, and clerks of the Superior and Inferior courts, receivers and collectors of taxes, militia officers and justices of the peace—Writs of *dedimus potestatum* for county officers, justices of the Inferior courts, and justices of the peace—Testimonials, grants for first and second lotteries, Macon town lots, head rights and fractions—For all these blanks a fee is received.

Agreeable to the principle first laid down, we consider the warrant and receipt of the Executive office—Treasurer's official receipts—Comptroller's receipts, executions against tax collectors, and for town lots in Macon—Bonds for fractions, blanks for renewal of audited certificates, and receipts for digest of taxes, are public printing—and that Treasurer's certificates to accompany commissions to civil officers, pedlars licences from Comptroller's office, all the blanks in the Surveyor's office, except plats for fractions, and all the blanks in the Secretary of State's office, should not be executed at the expense of the several offices and should not be considered as public printing.

Which was read and ordered to lie on the table.

Mr. Sellers called up the report of the committee on the petition of the Trustees of Henry county Academy. When Mr. Clayton, of Clark, proposed as a substitute for that report—

A bill further to support and encourage education in this State, and for the relief of the Academies thereof.

Which was received and read the first time.

The bill to authorise Stephen M. Ingersoll to erect a bridge across the Chattahoochee river, and to vest in him and his heirs, the proprietary interest thereof, for the term of thirty years.

Was read the second time and ordered for committee of the whole.

The following bills were read the third time and passed :

The bill to repeal an act defining the duties of Tax Collector, passed the 9th day of December, 1824—and unanimously.

The bill for the relief of Benjamin T. Rees and Talbot S Rees. of Columbia county.

The senate resolved itself into a committee of the whole on the bill to incorporate and vest certain rights in Monaghan Academy in Warren county. Mr. Foster in the chair.

The president resumed the chair, and Mr. Foster reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed, under the title of a bill to incorporate Monaghan Academy in Warren county, and Bookman Academy in the county of Green, and to appoint Trustees for said Academies.

The senate resolved itself into committee of the whole, on the bill to amend an act, supplementary to an act, more effectually to enforce an act, entitled an act, prescribing the mode of manumitting slaves in this State, and also to prevent the inveigling and illegal carrying out of the State persons of colour. Mr. Wooten in the chair.

The President resumed the chair, and Mr. Wooten reported the bill without amendment.

Ordered, That the report lie on the table.

The senate resolved itself into a committee of the whole on the bill to establish free schools in the county of Gwinnett. Mr. Groves in the chair

The president resumed the chair, and Mr. Groves reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to separate and divorce Hannah Norman, formerly Hannah Andrews and Sherwood Norman her husband. Mr. Hendrick in the chair.

The president resumed the chair, and Mr. Hendrick reported the bill without amendment.

The Senate took up and agreed to the report.

The bill was read the third time.

And on its passage the yeas and nays being required, it was determined in the affirmative.

The Yeas are 35, nays 15.

Those in the affirmative are,
Messrs.

Allen	Groves	Stokes
Baker of Liberty	Harman	Stown
Baker of Warren	Hendrick	Thomas
Brown of Camden	Janes	Toppin
Brown of Hancock	Jones	Walker
Brown of Monroe	Lawson	White

Breckman	Matthews	Wellborn
Cargille	Powell of McIntosh	Williams
Choice	Spann	Wimberly
Clayton of Clarke	Scarlett	Wooten
Footman	Sellars	Young
Frazer	Smith	

Those in the negative are,

Messrs.

Alston	Clayton of Pulaski	Love
Anderson	Coffee	Mitchell
Blackstone	Dyall	Ray
Blair	Foster	Wynn of Gwinnett
Brown of Decatur	Knight	Wynn of Hall

The senate resolved itself into a committee of the whole on the bill to divorce and separate John Smith and Sarah his wife. Mr. Lawson in the chair.

The president resumed the chair, and Mr. Lawson reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the bill, the yeas and nays being required, it was determined in the affirmative.

The yeas are 36, the nays are 15.

Those in the affirmative are,

Messrs.

Allen	Footman	Smith
Baker of Liberty	Frazer	Stokes
Baker of Warren	Harman	Strawn
Beall	Hendrick	Thomas
Brown of Camden	Janes	Tippins
Brown of Hancock	Lawson	Walker
Brown of Monroe	Matthews	White
Cargille	Porter	Wellborn
Choice	Ray	Williams
Clayton of Clarke	Scarborough	Wimberly
Coffee	Spann	Wooten
Dyall	Scarlett	Young

Those in the negative are,

Messrs.

Alston	Breckman	Knight
Anderson	Clayton of Pulaski	Mitchell
Blackstone	Foster	Powell of McIntosh
Blair	Groves	Wynn of Gwinnett
Brown of Decatur	Harris	Wynn of Hall

The senate resolved itself into a committee of the whole on the bill to separate and divorce Mary Gorham, formerly Mary Avery and Thomas Gorham her husband, Mr. Alston in the chair.

The president resumed the chair, and Mr. Alston reported the bill without amendment.

The senate took up and agreed to the report.

And the bill read the third time.

And on the passage of the same, the yeas and nays being required, was determined in the affirmative. The yeas are 41, the nays 16.

Those in the affirmative are,

Messrs.

Allen	Harman	Stokes
Baker, of Liberty	Hendrick	Strawn
Baker of Warren	Janes	Tennille
Call	Jones	Thomas
Brown of Camden	Lawson	Tippins
Brown of Hancock	Love	Walker
Brown of Monroe	Matthews	White
Cargille	Powell of McIntosh	Witt
Chace	Porter	Wellborn
Clayton of Clark	Ray	Williams
Cooper	Scarborough	Wimberty
Footman	Spann	Wooten
Graham	Scarlet	Young
Haves	Smith	

Those in the negative are,

Messrs.

Alston	Brockman	Harris
Anderson	Clayton of Pulaski	Mitchell
Blackstone	Daniel	Sellers
Clark	Dvall	Wynn of Gwinnett
Brown of Decatur	Foster	Wynn of Hall

The Senate resolved itself into a committee of the whole on the bill to establish an additional electoral district in the county of Columbia, Mr. Clayton, of Clark, in the chair.

The president resumed the chair, and Mr. Clayton reported the bill without amendment.

On motion to lay said report on the table for the present, it was determined in the negative.

The yeas and nays being required, are—yeas 28, nays 29.

Those in the affirmative are,

Messrs.

Allen	Daniel	Scarborough
Baker of Liberty	Dyall	Stokes
Baker of Warren	Footman	Thomas
Brown of Camden	Harman	Tippins
Brown of Decatur	Janes	Witt

Brown of Hancock	Jones	Williams
Brown of Monroe	Lawson	Wimberly
Brockman	Love	Wynn of Gwinnet
Choice	Ray	Wynn of Hall
Clayton of Clark		

Those in the negative are,
Messrs.

Alston	Groves	Sellers
Anderson	Harris	Smith
Beall	Hendrick	Strawn
Blackstone	Knight	Tennille
Blair	Matthews	Walker
Cargille	Mitchell	White
Clayton of Pulaski	Powell of McIntosh	Wellborn
Coffee	Porter	Wooten
Foster	Spann	Young
Fazer	Scarlet	

Mr. Jones then offered a substitute to the report—Which read and with the original report ordered to lie on the table till Monday next.

The senate adjourned until Monday morning 10 o'clock.

MONDAY, December 11th. 1826.

On motion of Mr. Powell, of McIntosh.

Resolved, That the official letter of Anson Kimberly, the president of the Darien Bank, as communicated to the senate on Friday last, be placed on the journal of the senate.

And be it further resolved, That the printed documents alluded by William C. Dames, when he moved for the appointment of a committee to enquire into the cause of their printing, with power to sit for persons and papers, be also placed on the journal of senate.

(The official letter of A. Kimberly.)

Darien, 13th November, 1826.

ALLEN B. POWELL Esq.

Sir—by a resolution of Directors of the Darien bank, I am directed to forward to the delegation from this county, a detailed st

not made by a committee of the bank of its present situation, to be the use of as the delegation may think most proper in aid of the views of the institution, and I now enclose said statement with the resolution appointing said committee, and the proceedings on accepting their report. Dr. Troup one of the committee, having differed the majority in the amount of loss, has not signed the report.

Your obedient servant,

Signed,

ANSON KIMBERLY, *President.*

The letter of Mr. Harmon upon the request of Mr. Powell, was journalised, and is as follows :

Milledgeville, 11th December, 1826.

ALLEN B. POWELL, Esq.

Dear Sir—At your instance and particular request this morning, it is my duty to state, that in all the interviews which took place between Dr. West and myself, two of the sub-committee on the Darien Bank, you invariably abstained from interfering in our discussions; and when more than once asked by me to give some information on the subject, you declined doing so and retired from the room.

Yours truly,

WILLIAM N. HARMON.

Darien, November 13th. 1826.

ALLEN B. POWELL, Esq.

Sir—Since writing you by the last mail, nothing special has occurred. Accompanying this, you will have the report of the committee appointed to give a detailed statement of the situation of the Darien Bank; this varies some from my statement, but not materially. The committee make the losses something larger than I did, and as this did not accord with the views and feelings of Mr. Spalding, who I suppose had calculated on their aid in keeping the public in the dark, he and Dr. Troup withdrew from the board, and although the doctor agreed pretty much with the balance of the Committee in the detailed statement made out of bad debts, still when the result appeared so different from his calculation, he thought proper to dissent and has not signed the report—A copy of the resolution appointing the committee, and of the proceedings on Thursday, accompany the report. On that day much warmth and irritation was exhibited, and although the majority was a large one, still as Mr. Spalding could not give them into a course of deception, he became much irritated and finally left us in a rage—Their leaving the board, you will find mentioned on the minutes, but in as modest a way as possible, it is not beyond our wish to make the breach wider than it now is, notwithstanding their conduct is such that they ought not to receive any indul-

gence. The report with all the proceedings, will be spread upon the minutes, to enable our successors to decide, whether we have acted in this business with fairness toward the institution and the public, or not.

In addition to the other papers, you will find the report offered by Dr. Troup which was rejected, to put you in possession of the views of *all* the board. Since the report was made out, returns have been obtained from the Branches, which show a farther reduction in the amount about, of more than ten thousand dollars.

I certainly regret the change in our legislature, more particularly as it will put at hazard the now fair prospects of the Bank of Darien—I cannot however think that the majority, merely for party purposes, can put at hazard the interests of the State in this institution, which they certainly will do if they now meddle with it.

Your obedient servant,

ANSON KIMBERLY.

BANK OF DARIEN,
October 31st. 1826. }

The following resolution offered by Major *Wood*, was read and agreed to :

Resolved, That a committee be appointed to make a special report shewing in detail the situation of the bank in relation to its issues, debts, and other matters connected with its concerns, with a view to present to the legislature the means and resources of this institution to pay its debts, and in time, to go into active and efficient operation

Messrs. Atkinson, Wood and Troup, were appointed the committee.
Extract from the minutes,

J. G. BELL, Teller.

Tuesday Morning, November 7th. 1826.

Reports from Dr. Troup and Maj. Wood, two of the committee appointed to make a special report, were submitted to the board, and a motion was made and seconded, that Dr. Troup's report be adopted.

The ayes and nays were taken, and the result was as follows :

Ayes—Messrs Spalding, Kell and Troup.

Nays—Messrs. Dunham, Wood, King, Atkinson, and Smith.

Dr. Troup then offered the following resolution, which was agreed to :—

Resolved That the consolidated account with the detailed report, accompanied by explanatory remarks, be recommitted to the same committee for revision and consolidation, and that they report at an extra meeting of the board to be held on Thursday next at 12 o'clock.

Extract from the minutes,

J. G. BELL, Teller

Thursday Morning, November 9th, 1826.

The Directors met.

Present—Mr. KIMBERLY, *President*,
WOOD, SMITH, SPALDING,
ATKINSON, TROUP, DUNHAM.

Absent—Mr. POWELL, KING, KELL.

Agreeable to a resolution of the last meeting of the board, the directors met this day for the purpose of adopting a report to be submitted to the legislature, shewing the present state of the bank of Darien.—When Maj. Wood offered the following resolution, which was agreed to by a majority of the members present

Resolved, That in the investigation now before the board, it is considered that the bank in its calculation, state the stock at forty-five dollars the share, it having been taken from persons in payment of their claims, who were considered as unable to pay the same, except by taking their stock at sixty-five dollars per share.

When Maj. Wood offered the resolution to take up the report of the committee, which was agreed to; and after considerable debate, Messrs. Spalding and Troup retired; when the question was taken on accepting the report of the committee, and unanimously agreed to.

Major Wood then offered the following resolution, which was likewise agreed to:—

Resolved, That the report of the committee detailing the affairs of the bank, be transmitted to our senator and representatives, to either lay before the present legislature, or otherwise, as they in their judgment may deem meet.

Extract from the minutes,

J. G. BELL, Teller.

BANK REPORT.

The committee to whom was referred the resolution of the Directors of the bank of Darien to report on the state of the bank, do report:

That they have given the subject as full an investigation as they would admit; and for the more perfect understanding of the affairs of the bank in detail, they have considered them under the following heads:—1st. Issues—2d. Its Funds—3d. Its economy—4th. Its measures—and 5th. Its stock;

1st. As to its Issues. It appears that the bank and its branch have put notes into circulation previous to the year 1826, as follow:

Mother Bank, - - - - -	\$1,029 363
Millidgeville Branch, - - - - -	732 000
Marion Branch, now Macon, - - - - -	95,000
Making a total of	<u>1,856,363</u>
Of the above amount there had been re-	
deemed previous to 1st January 1826,	\$723 390
During the last ten months,	350,973
	<u>1 074,363</u>

Leaving this sum yet in circulation, \$782 000

To reduce and pay this, we proceed next to shew the resources the bank, as follows:—

1st. Its funds. Which we shall class under three heads, good, doubtful, and bad, contacted as follows—

At the Mother bank debts due, good,	\$438,675
To which may be added, back interest due not yet pd.	30,000
Cash on hand and bills of exchange,	28,675
At the Branch at Millidgeville,	480 000
Do. do. Marion now Macon,	95,000
Amount and value of real estate,	89,000
	<u>\$1,161,350</u>

2d. Doubtful. From which a part, if not the whole, may be covered.

At the Mother bank, - - - - -	\$80,711
Do. Branch in Millidgeville, - - - - -	10 00
Do. do. in Macon, - - - - -	5,00
	<u>\$95 71</u>

3d. Bad. Even for some of these a small per centage may yet be obtained.

At the Mother bank, - - - - -	\$255,73
Do. Branch in Millidgeville, - - - - -	10,00
Do. do. Marion, now Macon, - - - - -	35,00
	<u>\$300,73</u>

The real estate given as a security alone, and in other instance additional, is—

At the Mother bank, - - - - -	\$189,31
Do. Branch in Millidgeville, not known, - - - - -	
Do. do. Macon, do.	

Own and city property, either owned or under mortgage to Bank, situate as follows:—

In the city of Savannah,	-	-	-	\$35 000
Do. of Darien,	-	-	-	131,000
Elsewhere,	-	-	-	23,385
				<hr/>
				\$189,385

3d. Economy. The expenses of the Bank and its Branches formerly were for salaries, as follows:—

At the Mother bank,	-	-	-	\$7,100
Do. Branch bank in Milledgeville,	-	-	-	4 000
Do. Marion, now Macon,	-	-	-	2 000
				<hr/>
				13,100

These have been reduced as follows :

At the Mother bank,	-	-	-	\$4 200
Do. Branch in Milledgeville,	-	-	-	2,800
Do. do. Macon,	-	-	-	1 600
				<hr/>
				8 600
Difference,				<hr/>
				\$4,500

4th Measures. A call was made payable in the winter of 1825-6 of 30 per cent. at the Mother Bank, on which there was paid at the rate of 20 per cent. on the whole debt, or

\$213,000

At the Milledgeville Branch the call amounted to 36

per cent. on their amount, or the sum of 289 000

At the Macon Branch to about 20 per cent. or

\$9,000

Debts not running or continued, to be discounted agreeable to the rules of the Bank, were ordered to be sued—of this amount there is in suit and in judgment at the Mother bank,

\$450 000

At the Milledgeville Branch at this time not known. The same remark applies to the Branch at Macon. Another call has been made of 30 per cent. by the Mother Bank, payable at three periods, of 60 days each, commencing the first of January next.

5th. Stock. The amount paid in by the State, 65 per cent. or

\$325 000

Amount paid in by Stockholders, do do.

326 75

\$651,175

The Bank has made 12 dividends, or per cent. amounting to,

297,861

The bank has been obliged to take of its stock in payment of bad and doubtful debts, to the am't of

85,279

There is hypothecated stock which it is believed will fall into the hands of the bank, and unredeemed, of about

60,000

145,270

Stockholders amount paid in,	326,15
This will be the sum due to the stockholders,	180 79
And exceeds the amount stock debts to,	565 99

All of which is respectfully submitted by

JACOB WOOD,
GEORGE ATKINSON, } *Committee*

Banks of Darien, November 9, 1826.

REPORT

Offered by DR. TROUP, and rejected.

The committee appointed to examine into, and make a report of the actual state of the Bank, for the purpose of being laid before the legislature, beg leave to submit the following as the result of their investigation:—

In the statement submitted by your committee, it will be seen, that the condition of the bank varies materially from the statement forwarded by the President to the Governor. This difference is chiefly owing to the omission on the part of the President, to credit the bank with the stock it has received in payment of debts, in not including the bank interest due on good notes, and considering as bad, what your committee believe to be ultimately good, the Louisiana claim. These several items make an aggregate amount of dollars, which placed to the credit side of the bank, will leave a deficit of dollars. In estimating the loss the bank will sustain from bad debts; it will be perceived, that the committee enumerate many as such from which something will be realised eventually. So in relation to the property owned by the bank. In estimating this item, your committee have allowed upwards of 50 per cent. for the depreciation of property of every description, which under the present depression is deemed liberal, and which, under a more fortunate state of things such as a revival of trade in Darien, would be considered not only ample to secure the bank from loss, but to leave it a considerable profit.

DARIEN, November 9th. 1826.

State of the Bank of Darien on Thursday the 9th November, 1826.

DI.

To Bank Notes issued,	784,736
“ Amount on hand in Darien,	2,753
“ Amount at offices,	
“ Amount in circulation,	781,983
“ Profit and Loss,	784,736
“ Capital Stock (paid in,)	218,015 56
“ Dividends No. 1 a 12,	651,175
“ Discount Account,	2,502 05
“ Monies on Deposit,	22,242 82
“ Do. on ac't bills and notes discounted	6,000
	48,353 69
	<hr/> 54,353 69
	<hr/> \$1,783,025 62

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By Cash Balance,	15,737 69	
" " composed of specie,	12,984 69	
" " " Darien Bills,	2,753 00	15,737 69
" Office D & D. U. States, New-York,		200 50
" Office D. & D. Macon,	134,799 85	
" " " Milledgeville,	511,026 17	645,826 02
" State Bank Savannah,		2,861 94
" Bills of Exchange Savannah,	10,954 00	
" " " " Augusta,	271 42	
" " " " Marion,	1,300 00	
" " " " Milledgeville,	1,140 98	
" " " " New-York,	40,988 50	54,654 70
" Bills and Notes discounted,	850,611 48	63 77
" Thomas Wilson & Co. (London,)		
" Bank House and Lot,	10,000 00	
" Darien E. S. Mill,	8 635 00	
" Bond and Mortgages,	62,905 33	
" Stock Account,	83,959 17	81,540 98
" Deduct Dividends,	6,842 75	77,116 42
" Expenses and Salaries,		3,712 17
" Protest Account,		700 00
		<u>\$1,773,025 62</u>

E. S. REES, Cashier,
Per J. G. BELL, Teller.

BANK OF DART, Nov. 9, 1896.

Darien, November 9th. 1826.

To his Excellency GEORGE M. TROUP :

The report forwarded on to you by Mr. Kimberly the President of the Bank was sent on without being submitted to the board of Directors—it is to be received, therefore, simply on the responsibility of Mr. Kimberly. When this was made known, a committee was appointed to examine into the state of the institution, for the purpose of ascertaining its real condition.

The committee charged with this duty, could not agree in their report—Subsequently, a bare majority of the Board have made up a report to be transmitted to the representatives of this country, to be used by them as they may think meet. Believing both these reports calculated to injure the credit of the bank, and believing as we do, that the assets of the bank, if prudently collected, will refund every dollar of the capital originally invested, we transmit to your Excellency a renewed statement of the bank and its condition, prepared by us with great care, and with the aid of the only officer that has been left us in the institution.

The principal causes of difference, are in three items:—

First—The bank owns a large portion of its own stock, which was taken for debts that were otherwise doubtful. As the stock at par is a debt against the bank at \$65 per share, we claim the stock held by the bank, to be a credit at \$65 per share. This item will make a difference of about thirty thousand dollars.

Second—There is a debt due the bank on judgment against Messrs. J. & C. Bolton of New York, for seventy five thousand dollars.—Time was given to the Messrs. Bolton's by this institution, in common with all the other institutions of the State, for debts of the same character. In addition to this judgment, we hold as collateral security for its payment, bonds and mortgages upon real and personal estate of Col. Stephen Proctor of Louisiana, to the full amount. We conscientiously believe, that between our collateral securities and our judgments against Messrs. Bolton's, the bank will not lose one dollar of this debt.

Thirdly—Upon the great mass of debt now in judgment, we put down \$50 000 for interest due. These three items alone, not one of which were admitted by Mr. Kimberly, more than balance the estimated loss made by him in his statement. Submitting this letter and its contents, to be used by your Excellency in any manner you may think best for the public good,

We remain respectfully, your very obedient servants,

**T. SPALDING,
JAMES TROUP.**

I am perfectly satisfied with the contents of the above letter.

Signed,

ANSON KIMBERLY.

Statement of Debts due by and to the Bank of Darien, November 9, 1826.

Due for Bank Notes in circulation,	781,983 00	By Specie in Vault,	12,984 68
" Capital stock, paid,	651 175 00	Bank U. States, New York,	200 50
Deduct amount paid off,	98 642 00	Offices Bank, Darien,	645 826 02
		Deduct losses at do.	70 040 00
" Monies on Deposit,	6 041 00		
" " " on ac't bills and notes,	48 363 69	State Bank, Savannah,	10 954 00
" Dividends, unpaid,	2 502 00	Bills Exchange, Savannah,	27 22
" Salaries and Expenses,	3,712 17	" " Augusta,	1,300 00
		" " Marion,	1,140 88
		" " Milledgeville,	13 666 20
		Deduct losses on do.	6 002 20
	\$1,395,083 86		- 7 664 00
	6 220 60		- *40,988 50
	\$1,401 304 46		
To balance in favor of Bank,		Bills Exchange, New York,	850 611 48
		Bills and Notes discounted,	116 480 00
		Deduct this amt't to be charged to bonds & mortgages,	731 131 48
		Deduct loss on this amount,	150,738 00
			583,293 48
		Bonds and Mortgages,	62 905 33
		Add amt't from bills & notes,	116 480 00
		" " for bank house,	10,000 00
		Deduct depreciation on this account,	189 385 33
			100 000 00
			- 89 385 33
		Darien E. S. S. Mill,	8 635 60
		Deduct loss on do.	5,535 60
			3 000 00
		This amount due for back int. on notes in suit considered good,	- 50,000 00
			1,366 314 46
			135,000 00
			\$1,401,304 46
		By balance in favor of Bank,	6,220 60

* This is a part of the judgement of seventy-five thousand dollars held by the Bank against J. & C. Bolton, secured by a mortgage on real estate of double its value.

† The remaining thirty five thousand dollars the Bank look to Messrs. J. & C. Bolton for, who they believe are quite responsible.

The following statement from Joseph Washburn, Cashier of the Darien Branch Bank at Milledgeville, was submitted by Mr. Daniel and ordered to be journalised.

Salaries of the Officers of the Darien Branch Bank in Milledgeville, in 1825.

Samuel Boykin, President,	\$1,000
P. F. Jalliet, Cashier,	1,500
George W. Murray, Teller,	600
Francis Jeter, Book-keeper,	1,000

Salaries in 1826.

John Clark and Thomas W. Baxter, President,	\$ 800
Joseph Washburn, Cashier,	1,400
George W. Murray, Teller,	600
Burton Hepburn, Book-keeper,	800

Difference,	\$700
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[Additional Testimony.]

(Mr. Robert Freeman's evidence.)

On the morning that the printed documents relating to the Darien bank was laid on the desks in the house of representatives, I was sitting at one of the desks with Dr. West; he took up one of the reports and apparently was reading it; I took up one and was reading the letter from Anson Kimberly to Allen B. Powell, Esq. Dr. West then turned to me and said, that the letter I was then reading, (being the one from Kimberly to Powell) was not written for publication, and that it would not have been published at all, only for the purpose of rebutting the report of T. Spalding and James Troup, and the intention of making it public was to counteract an illiberal remark made in the report of Spalding and Troup at the same time pointing out to me the latter part of second section of said report. Mr. Freeman states, it was at Dr. West's desk the above conversation took place—He also further states, that he (Dr. West) then said he regretted that the letter had been published.

(John Kennon's testimony.)

On _____ of last week, I observed to Dr. West, that Mr. Kimberly had treated the legislature indecorously in the letter that he addressed to Mr. A. B. Powell; he observed that Mr. Kimberly never intended that letter for publication, and he further observed, that he desired Mr. Powell not to publish it, or regretted that he had published it; the strong bias of my mind is in favor of his having said that he desired Powell not to publish Kimberly's letter.

Mr. Kimberly had leave to introduce instantler, a bill to authorise the name of James W. Fannin, jun. to be entered for one draw in the present contemplated land lottery.

Which was read the first time.

Mr. Choice had leave to report instanter, a bill to authorise certain commissioners therein named to raise by lottery the sum of ten thousand dollars for the use of the Dr. Kalb academy, and also to authorise the judges of the Inferior court to vest one thousand dollars of the county funds in said lottery.

Which was read the first time.

Mr. White had leave to report instanter, a bill to authorise William Williamson to establish a ferry over Flint river on his own land.

Which was read the first time.

Mr. Beall from the joint printing committee to whom was referred the proposals of the several printers of this city for printing the laws and journals of the present session—Reported;

That they have agreed to receive the proposals of Messrs. Camak and Ragland, at one cent per sheet of eight octavo pages; the laws to be printed in three weeks after the close of the session, and the journals in six weeks thereafter.

Your committee beg leave further to report, that Messrs. Camak and Ragland, having made propositions for the execution of the laws and journals in a superior manner at an increased price, which your committee beg leave to submit for the consideration of the legislature.

Which was read and ordered to lie on the table.

Mr. Allen laid on the table the following resolution:

Resolved, That both branches of the general assembly will convene in the representative chamber on Friday next at 11 o'clock, A. M. for the purpose of electing six directors for the bank of the State of Georgia, on the part of the State, two directors on the part of the State for the Planters' bank, and five directors on the part of the State for the Darien bank.

Mr. Scarlett called up his resolution relative to the adjournment of the legislature *sine die* on the 20th instant.

Which was read and again ordered to lie on the table.

The bill to provide for the compilation of a civil code of laws for this State—and

The bill further to support and encourage education in this State, and for the relief of the academies thereof.

Were read the second time and ordered for a committee of the whole.

The senate resolved itself into a committee of the whole, on the bill to authorise Stephen M. Ingersoll to erect a bridge across the Chattahoochee river. Mr. Jones in the chair.

The president resumed the chair, and Mr. Jones reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole, on the bill to raise a tax for the support of government for the year 1827.—Mr. Powell of McIntosh in the chair.

The president resumed the chair, and Mr. Powell reported the bill with amendment.

The Senate took up the report and
On motion of Mr Jones to strike out the paragraph in these words,

And be it further enacted, That all houses and lots in cities, towns and villages, occupied by the owners thereof as dwelling houses shall not be taxed as heretofore the sum of thirty one and a fourth cents on every hundred dollars of their value, but shall be liable to and their owners shall pay a tax of twenty cents on every hundred dollars worth of their value. It was determined in the affirmative.

The yeas and nays being required, are yeas 35, nays 27.

Those in the affirmative are,
Messrs.

Anderson	Coffee	Powell of Rabun
Baker of Liberty	Dyall	Porter
Baker of Warren	Foster	Scarborough
Ball	Frazer	Spann
Blackstone	Harris	Smith
Bar	Hendrick	Strawn
Brown of Decatur	Janes	Tippins
Brown of Hancock	Joice	Weilborn
Brockman	Jones	Wimberly
Burney	Knight	Wooten
Cargille	Love	Young
Clayton of Pulaski	Mitchell	

Those in the negative are,
Messrs.

Allen	Groves	Stokes
Alston	Harman	Tennille
Broadnax	Hoxey	Thomas
Brown of Camden	Lawson	Walker
Brown of Monroe	Matthews	White
Choice	Powell of McIntosh	Witt
Clayton of Clark	Ray	Williams
Daniel	Scarlett	Wynne of Gwinnett
Footman	Sellers	Wynne of Hall

Mr Clayton, of Clarke, offered the following as an addition section :

And be it further enacted, That the present general tax of the state on all subjects of taxation, be reduced twenty five per centum, who
On motion to agree thereto, it was determined in the affirmative.

The yeas and nays being required are, yeas 38, nays 24.

Those in the affirmative are,
Messrs.

Alston	Footman	Spann
Anderson	Foster	Sellers
Ball	Frazer	Strawn
Blackstone	Groves	Thomas

Blair	Hendrick	Pippins
Brackman	Hoxey	White
Burney	Janes	Witt
Cargille	Joice	Wellborn
Choice	Jones	Williams
Clayton of Clarke	Lawson	Wynn of Gwinnett
Clayton of Pulaski	Matthews	Wyon of Hall
Coffee	Powell of Rabun	Young
Daniel	Porter	

Those in the negative are,
Messrs.

Allen	Dyall	Scarborough
Baker of Liberty	Harman	Scarlett
Baker of Warren	Harris	Smith
Broadnax	Knight	Stokes
Brown of Camden	Love	Tennille
Brown of Decatur	Mitchell	Walker
Brown of Hancock	Powell of McIntosh	Wimberly
Brown of Monroe	Ray	Wooten

The report being amended and agreed to, the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to organize the territory lately acquired from the Creek Indians, lying between the Flint and Chattahoochie rivers and west of the Chattahoochie. Mr. Tennille in the chair.

The president resumed the chair, and Mr. Tennille reported the bill without amendment.

The senate took up the report by paragraphs.

And on motion of Mr. Blair to strike out in the first section second paragraph, the word "Muscogee" and insert "Campbell."

Mr. Daniel moved a division of the question, and the motion being to strike out the word "Muscogee," the yeas and nays being required, are yeas 29, nays 34.

Those in the affirmative are,
Messrs.

Alston	Foster	Spann
Anderson	Frazier	Sellers
Beall	Groves	Strawn
Blackstone	Harris	Tennille
Blair	Hendrick	Walker
Broadnax	Joice	White
Burney	Mitchell	Wellborn
Cargille	Powell of McIntosh	Wooten
Clayton of Pulaski	Powell of Rabun	Young
Coffee	Porter	

Those in the negative are

Messrs.		
Allen	Footman	Scarborough
Baker of Liberty	Harman	Scarlett
Baker of Warren	Horn	Smith
Brown of Camden	Hoxey	Stokes
Brown of Decatur	Janes	Thomas
Brown of Hancock	Jones	Tippins
Brown of Monroe	Knight	Witt
Brockman	Lawson	Williams
Choice	Love	Wimberly
Clayton of Clarke	Matthews	Wynn of Gwinnett
Daniel	Ray	Wynn of Hall
Dyall		

The third paragraph in the first section being read, Mr. Wellborn moved to strike out "Group" and insert "Marion," and on the question to strike out, it was determined in the negative.

The yeas and nays being required, are yeas 27, nays 36.

Those who voted in the affirmative are,

Messrs.		
Anderson	Frazer	Porter
Beall	Groves	Spann
Blackstone	Harris	Sellers
Blair	Hendrick	Strawn
Broadnax	Joice	Tennille
Bursey	Matthews	Walker
Cargile	Mitchell	White
Clayton of Pulaski	Powell of McIntosh	Wellborn
Foster	Powell of Rabun	Wooten

Those in the negative are,

Messrs.		
Allen	Daniel	Scarborough
A'stop	Dyall	Scarlett
Baker of Liberty	Footman	Smith
Baker of Warren	Harman	Stokes
Brown of Camden	Horn	Thomas
Brown of Decatur	Hoxey	Tippins
Brown of Hancock	Janes	Witt
Brown of Monroe	Jones	Williams
Brockman	Knight	Wimberly
Choice	Lawson	Wynn of Gwinnett
Clayton of Clarke	Love	Wynn of Hall
Coffee	Ray	Young

The fourth paragraph of the first section being read, Mr. Tennill moved to strike out "Coweta" and insert "Newnan," and on the question to strike out, it was determined in the negative.

The yeas and nays being required, are yeas 30, nays 33.

Those in the affirmative are,

Messrs.

Alston	Foster	Porter
Anderson	Frazer	Spain
Beall	Groves	Sellers
Blackstone	Harris	Stearns
Blair	Hendrick	Tennille
Broadnax	Joice	Walker
Burney	Matthews	White
Cargille	Mitchell	Wellborn
Clayton of Pulaski	Powell of McIntosh	Wooten
Coffee	Powell of Rabun	Young

Those in the negative are,

Messrs.

Allen	Dyall	Scarborough
Baker of Liberty	Footman	Scarlett
Baker of Warren	Harman	Smith
Brown of Camden	Horn	Stokes
Brown of Decatur	Hoxey	Thomas
Brown of Hancock	Janes	Tippins
Brown of Monroe	Jones	Witt
Brockman	Knight	Williams
Choice	Lawson	Wimberly
Clayton of Clarke	Love	Wynn of Gwinnett
Daniel	Ray	Wynn of Hall

The seventh paragraph of the first section being read, Mr. Porter moved to strike out "Pond Town or Williams' Store," and insert "Barefoot's Town and the house of Thomas F. Whittington" and on the question to agree thereto, the yeas and nays being required, are yeas 28, nays 34.

Those who voted in the affirmative are,

Messrs.

Alston	Foster	Porter
Anderson	Frazer	Spain
Beall	Groves	Sellers
Blackstone	Hendrick	Stearns
Blair	Joice	Tennille
Broadnax	Matthews	Walker
Burney	Mitchell	White
Cargille	Powell of McIntosh	Wellborn
Clayton of Pulaski	Powell of Rabun	Wooten
Coffee		

Those who voted in the negative are,

Messrs.

Allen	Footman	Scarlett
Baker of Liberty	Harman	Smith
Baker of Warren	Harris	Stokes
Brown of Camden	Horn	Thomas
Brown of Decatur	Hoxey	Tippins

Brown of Hancock	Janes	Witt
Brown of Monroe	Jones	Williams
Brockman	Knight	Wimberly
Choice	Lawson	Wynn of Gwinnet
Clayton of Clarke	Love	Wynn of Hall
Daniel	Ray	Young
Dyall	Scarborough	

The first paragraph of the eighth section being under consideration Mr. Strawn moved to strike out after the words "De Kalb" and the word "Fayette" and on the question to strike out, it was determined in the negative.

The yeas and nays being required, are yeas 28, nays 35.

Those in the affirmative are,
Messrs.

Anderson	Frazer	Spann
Beall	Harris	Sellers
Blackstone	Hendrick	Strawn
Blair	Joice	Tennille
Broadnax	Matthews	Walker
Burney	Mitchell	White
Cargille	Powell of McIntosh	Wellborn
Clayton of Pulaski	Powell of Rabun	Wooten
Coffee	Porter	Young
Foster		

Those in the negative are,
Messrs.

Allen	Dyall	Scarborough
Alston	Footman	Scarlett
Baker of Liberty	Groves	Smith
Baker of Warren	Harman	Stokes
Brown of Camden	Horn	Thomas
Brown of Decatur	Hoxey	Tippins
Brown of Hancock	Janes	Witt
Brown of Monroe	Jones	Williams
Brockman	Knight	Wimberly
Choice	Lawson	Wynn of Gwinnett
Clayton of Clark	Love	Wynn of Hall
Daniel	Ray	

Mr. Coffee then moved to insert after the word "Fayette," the words "Baker, Early, and Decatur," and the yeas and nays being required, are yeas 26, nays 37.

Those in the affirmative are,
Messrs.

Alston	Foster	Porter
Anderson	Frazer	Sellers
Blackstone	Groves	Strawn

Broadnax	Harris	Tennille
Blackman	Joice	Walker
Burney	Matthews	White
Cargille	Mitchell	Wellborn
Clayton of Pulaski	Powell of McIntosh	Wooten
Coffee	Powell of Rabun	

Those in the negative are,

Messrs.

Allen	Footman	Spann
Baker of Liberty	Harman	Scarlett
Baker of Warren	Hendrick	Smith
Beall	Horn	Stokes
Blair	Hoxey	Thomas
Brown of Camden	Janes	Tippins
Brown of Decatur	Jones	Witt
Brown of Hancock	Knight	Williams
Brown of Monroe	Lawson	Wimberly
Choice	Love	Wynn of Gwinnett
Clayton of Clarke	Ray	Wynn of Hall
Daniel	Scarborough	Young
Dyall		

Mr. Strawn then moved to strike out in said section the words, "the third Monday in April and October," so far as respects the time of the sitting of the Superior courts in the county of Fayette, and insert the words "the second Monday in March and September."

The yeas and nays being required, are yeas 26, nays 27

Those in the affirmative are,

Messrs.

Anderson	Foster	Spann
Beall	Frazer	Sellers
Blackstone	Groves	Strawn
Blair	Hendrick	Tennille
Broadnax	Joice	Walker
Burney	Matthews	White
Cargille	Mitchell	Wellborn
Clayton of Pulaski	Powell of Rabun	Wooten
Coffee	Porter	

Those in the negative are,

Messrs.

Allen	Footman	Scarborough
Alston	Harman	Scarlett
Baker of Liberty	Harris	Smith
Baker of Warren	Horn	Stokes
Brown of Camden	Hoxey	Thomas
Brown of Decatur	Janes	Tippins
Brown of Hancock	Jones	Witt
Brown of Monroe	Knight	Williams

Wimberly	Lawson	Wynn of Gwinnet
Wynn of Gwinnet	Love	Wynn of Hall
Wynn of Hall	Powell of McIntosh	Young
Young	Ray	

The report being gone through without amendment. The bill
received a third time.

And on the question "shall this bill now pass?" it was determined
in the affirmative.

And the yeas and nays being required, are yeas 45, nays 18.

Those who voted in the affirmative are,
Messrs.

Allen	Dyall	Ray
Aiston	Flatman	Scarborough
Baker of Liberty	Harmon	Scarlet
Baker of Warren	Harris	Sellers
Bart	Hendrick	Smith
Baskins	Horn	Stokes
Brown of Camden	Hoxey	Thomas
Brown of Decatur	Janes	Tippins
Brown of Hancock	Jones	Walker
Brown of Monroe	Knight	White
Butler	Lawson	Witt
Chace	Love	Williams
Clayton of Clark	Matthews	Wimberly
Clayton of Putski	Mitchell	Wynn of Gwinnet
Daniel	Porter	Wynn of Hall

Those in the negative are,
Messrs.

Anderson	Foster	Spann
Baker	Frazer	Strawn
Bradshaw	Graves	Tennille
Burney	Jace	Wellborn
Cagle	Powell of McIntosh	Wooten
Coffey	Powell of Rabun	Young

A message was received from his Excellency the Governor, by
Pierce, his secretary, informing the senate that his Excellency
Governor has approved and signed the following resolutions, viz

The report and resolutions in reference to the line between
Georgia and Alabama.

One in reference to the examination and resurvey of the 11th
trick, originally known as Lowndes county.

One for the relief of James Houston.

And one directing the treasurer to receive Darien money from
C. Jenkins, on account of the taxes of Emanuel county, for the

The following communication was also received from his excellency:

EXECUTIVE DEPARTMENT, GEORGIA, }
Milledgeville, 9th December, 1836. }

I take great pleasure in communicating to the Legislature a dispatch this morning received from the Secretary of War of the United States, by which it will be seen that the hope expressed in the message of the 7th ult. that our differences with the General Government approached to a termination, has not been disappointed. It now appears to have been the intention of the parties to the instrument called the New Treaty, that Georgia should acquire all the Creek lands within her limits; and as it is the intention which must control the construction of that instrument, it may be expected that Georgia will meet with no further obstacle to the occupation and settlement of the whole country.

If the Governor of Georgia had committed "the most serious mistake," imputed to him in this dispatch, he would have received the President's rebuke with thankfulness; because nothing could be more desirable to him than such a correction of the mistake as it has pleased the President to make—but the Governor of Georgia had committed no mistake. If the Government of the United States believed they had acquired all the lands, when in fact they had not, the mistake was theirs—not ours. We believed, that all the lands had not been acquired, and so the fact is according to the admission of the President himself—The boundary of the New Treaty is on the face of it described to be a permanent, not a temporary boundary, and it is guaranteed as permanent by the authority of the United States—Taking the language of the New Treaty for its guide, the Governor of Georgia could not mistake that language—it was not permitted that officer to infer intentions which the language disavowed, and of which he could know nothing, but from the language—For the first time, and in the dispatch of the Secretary of War, the Government of the United States has thought proper to disclose to the Government of Georgia those intentions, although so long ago as the 11th of February last it was made known to the President, that if such a boundary were established by the New Treaty, it would be considered a permanent boundary, and of course, in violation of the Constitution of Georgia—a declaration which has since that time been repeated again and again without any intimation from the Government of the United States, that such an inference was an erroneous or mistaken one; but on the contrary, it has been uniformly insisted, that the New Treaty was the supreme law and would be carried strictly into effect—No authority was recognised as competent to establish a boundary for Georgia, but that of Georgia herself and the Government of Alabama the only other party in interest, acknowledged as such by the United States, was long since given to

understand that, that boundary once established by Georgia would be considered good for Georgia, until a better could be shewn.—It is not necessary for the president to anticipate difficulties between Georgia & Alabama—The difficulties have not yet occurred, and we trust they will not occur. In the mean time the boundary as established by Georgia cannot be considered by the United States as any other than the true boundary; and until Georgia and Alabama shall concur in establishing a different one, it must be so considered by all the parties concerned.

(Signed)

G. M. TROUP.

Which was read and referred to the committee on the State of the Republic.

The Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, December 12th, 1826.

On motion of Mr. Allen to reconsider so much of the journal of yesterday as relates to the passage of the bill to raise a tax for the support of Government for the year 1827—Was determined in the negative.

Mr. Coffee moved to reconsider so much of the journal of yesterday as relates to the passage of the bill to organise the territory lately acquired from the Creek Indians, lying between the Flint and Chattahoochie rivers, and West of the Chattahoochie.

The yeas and nays being required—It was determined in the negative. The yeas are 27, nays 33.

Those in the affirmative are,
Messrs.

Alston	Frazer	Spann
Anderson	Groves	Sellers
Beall	Hendrick	Strawn
Blair	Joice	Tennille
Broadnax	Matthews	Walker
Burney	Muchel	White
Cargile	Powell of McIntosh	Wellborn
Clayton of Pulaski	Powell of Rabun	Wooten
Coffee	Porter	Young
Foster		

Those in the negative are,

Messrs.

Hen	Footman	Scarborough
aker of Liberty	Harmon	Scarlet
own of Camden	Harris	Smith
own of Decatur	Hern	Stokes
own of Hancock	Hoxey	Thomas
Brown of Monroe	Jones	Thopins
Buckman	Jones	Wint
Moise	Knight	Williams
Rayton of Clark	Lawson	Wituberly
Daniel	Love	Wynn of Gwinnett
Dall	Ray	Wynn of Hall

The honorable senators from the counties of Warren, and Laurens, on leave of absence for a few days.

Mr. Beall from the committee appointed on the petition of Joseph Belk, clerk of the superior court of Wilkinson county, Reported—

That they have had the same under consideration and are of opinion that the prayer of the petitioner is reasonable and ought to be granted—They therefore recommend the adoption of the following resolution:

Resolved, That the sum of one hundred dollars be allowed the said Joseph Belk, clerk of the superior court of Wilkinson county, it being the amount improperly paid into the treasury by the said Joseph Belk as holder of public money, and that the same be placed in the appropriation law.

Which was read and agreed to.

Mr. White presented the petition of Elisha Tarver—Which was read and referred to a committee consisting of messrs. White, Coffee, and Wooten.

Mr. Hoxey laid on the table the following resolution:

Resolved, That both branches of the Legislature will convene in the Representative chamber on Thursday next, at 3 o'clock, P. M., for the purpose of electing a Judge of the superior court and solicitor-general for the Chattahoochie circuit—also principal keeper and inspectors of the Penitentiary.

Mr. Spann from the committee to whom was referred the petition of William Akins, Reported—

That they have had the same under consideration, and are of opinion that the same is unreasonable and ought not to be granted.

Which was read and agreed to.

On motion of Mr. Spann,

Resolved, That Zachariah Coward be, and he is hereby appointed commissioner of the Early county academy, in the place of Wm. McDonald, removed.

On motion of Mr. Powell, of Rabun,
Resolved, That John McClain and Joseph Pinson be, and they
 hereby appointed trustees of Clayton Academy, in the county of
 Rabun, in addition to those already appointed.

Mr. Allen from the joint committee on agriculture and improvement, to whom was referred the report of the commissioners of the southern rivers, Reported—

That they have had the same under consideration, and withhold the expression of their approbation of the conduct of the commissioners.

From their report it appears that of the \$5000 appropriated by their order, \$1,242 33 remain unexpended. The great advantage of steam power applied to the removal of sunken or buried log trees from the beds of our rivers, have long since been known and understood by the steam boat company. The last legislature made an appropriation for the application of that power to remove obstructions in the Altamaha river. The success which has resulted has been fully equal to the expectations of its friends, and certainly authorises a further appropriation for similar purposes, upon a more extended and consequently more useful, and it is believed, more economical scale. The commissioners suggest the propriety of the State purchasing a steam boat, to be employed when the condition of the rivers will permit, in removing obstructions from their beds, and at other times in towing freight boats from and to Darien. In the propriety of this proposition your committee have great confidence, and consequently submit the following resolutions:

Resolved, That the sum of fourteen hundred dollars should be appropriated for the purchase of a steam-boat, to be used according to circumstances, in removing obstructions from the beds of the Altamaha, Ocmulgee, and Oconee rivers, or in transporting freight, and that the sum of three thousand dollars should be appropriated to defray the expenses of said boat.

Resolved, That S. C. Dunning, Thomas Wilcox, and _____ be, and they are hereby created and constituted commissioners to carry the foregoing resolution into effect.
 Which was read and ordered to lie on the table.

Mr. Hoxey had leave to report instantan a bill to amend an act to incorporate the bank of Darien, passed 15th Dec. 1818.
 Which was read the first time.

The senate took up the report of the committee of the whole on the bill to alter the seventh section of the first article of the Constitution, so as to reduce the number of members of the House of Representatives—when,

On motion of Mr. Knight, to amend the report by the addition of the following proviso: "*Provided*, each county shall have one representative, and no county shall have more than three."

And on the question to agree thereto, it was determined negative.

The yeas and nays being required, are yeas 23, nays 29.

Those who voted in the affirmative are,
Messrs.

Alston	Harman	Spann
Blackstone	Harris	Scarlet
Blair	Joice	Sellers
Clayton of Pulaski	Knight	Strawn
Coffee	Love	Thomas
Dyall	Powell of McIntosh	Tippins
Footman	Powell of Rabun	Young
Foster	Ray	

Those in the negative are,
Messrs.

Allen	Daniel	Smith
Anderson	Frazer	Stokes
Baker of Liberty	Groves	Tennille
Beall	Hendrick	Walker
Broadnax	Hoxey	White
Brown of Camden	Janes	Witt
Brown of Decatur	Jones	Wellborn
Brown of Monroe	Lawson	Williams
Brockman	Matthews	Wimberly
Burney	Mitchell	Wooten
Cargille	Porter	Wynn of Gwi
Choice	Scarborough	Wynn of Hall
Clayton of Clark		

The report being agreed to, the bill was read the third time

And on the passage of the same, the yeas and nays being :
—It was determined in the negative. The yeas are 29, nay

Those who voted in the affirmative are,
Messrs.

Allen	Choice	Mitchell
Alston	Clayton of Clark	Stokes
Anderson	Daniel	Tennille
Baker of Liberty	Frazer	Walker
Blackstone	Groves	Witt
Broadnax	Hendrick	Williams
Brown of Camden	Hoxey	Wimberly
Brown of Monroe	Janes	Wynn of Gwi
Brockman	Lawson	Wynn of Hal
Burney	Matthews	

Those who voted in the negative are,

Messrs.

Bentl	Joice	Scarlet
Blair	Jones	Sellers
Brown of Decatur	Knight	Smith
Cargille	Love	Strawn
Clayton of Pulaski	Powell of McIntosh	Thomas
Coffee	Powell of Rabun	Tippins
Deall	Porter	White
Floresman	Ray	Wellborn
Foster	Scarborough	Wooten
Harmon	Spann	Young
Harris		

Mr. Daniel had leave to report instanter a bill to provide for a convention to amend and alter the Constitution of this State.

Which was read the first time.

On motion of Mr. Brown, of Camden,

The bill to divorce and separate Zebulen Rudolph and Eliza Rudolph his wife, was recommitted to a committee of the whole.

The senate then resolved itself into a committee of the whole on said bill, Mr. Powell, of Rabun, in the chair.

The president resumed the chair, and Mr. Powell reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the bill, it was determined in the affirmative. The yeas are 40, nays 15.

Those who voted in the affirmative are,

Messrs.

Baker of Liberty	Harris	Smith
Bentl	Hendrick	Stokes
Broadnax	Jones	Strawn
Brown of Camden	Joice	Tennille
Brown of Monroe	Jones	Thomas
Burney	Lawson	Tippins
Cargille	Matthews	Walker
Choice	Powell of Rabun	White
Clayton of Clark	Porter	Witt
Coffee	Scarborough	Wellborn
Floresman	Spann	Williams
Frazer	Scarlet	Wimberly
Genes	Sellers	Wooten
Harmon		

Those in the negative are,

Messrs.

Allen	Brackman	Love
Anderson	Clayton of Pulaski	Mitchell

Blackstone
Blair
Brown of Decatur

Daniel
Foster
Hoxey

Ray
Wynn of Gwinnett
Wynn of Hall

On motion of Mr. Foster,
The senate took up the report of the committee of the whole on the bill to establish an additional electoral district in the county of Columbia.

Which was again read and ordered to lie on the table.

Mr. Sellars laid on the table the following resolution :

Resolved, That his Excellency the Governor be requested to purchase five of Finley's Maps of the United States—one to be placed in the Executive Chamber, two in the Senate Chamber, and two in the Representative Chamber; and that his Excellency pay for the same out of the contingent fund.

The following message was received from the house of representatives by Mr. Dawson, their clerk.

Mr. President,

The house of representatives have passed a bill to reduce the salaries of the principal keeper of the Penitentiary, and the attending physician.

And they have agreed to a resolution in favor of the administrators of major Elisha Wood, deceased former Secretary of the Executive Department, for extra services rendered in paying out certain money to the claimants for and on account of Indian spoliation—to which they desire concurrence.

The house of representatives have passed a bill to appropriate money to improve the navigation of the Savannah river.

The senate took up the message and the bills therein contained—and also the bills contained in the message of yesterday were severally read the first time.

The report and resolutions in favor of the administrators of major Elisha Wood, deceased, were read and ordered to lie on the table.

Mr. Clayton, of Clark, laid on the table the following resolution

Whereas, both branches of the General Assembly are too numerous creating great expense and delay in the dispatch of public business and is according to the population in the respective counties, very unequal—And whereas, also from the increasing number of members in both branches of the General Assembly, the house set apart for their deliberations will not be sufficiently large for that purpose, will consequently be required to be enlarged at very great expense; therefore,

Be it resolved, That at the next general election for members of the General Assembly, the voters be requested to signify to the en-

legislature whether they wish a convention for the special and exclusive purpose of altering the third section and seventh sections of Constitution of this State, so far as to authorise the reduction of members of the Senate and House of Representatives, and to be ordained hereafter upon the principles of the population alone, and in order to ascertain the sense of the voters on this subject, those who are in favor of a convention will please endorse on their tickets the word 'Convention'—those who are against it will endorse the words 'No Convention.'

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, December 13th, 1826.

Mr. Powell, of McIntosh, from the committee on banks, to whom referred the annual statement of the Bank of Augusta—Reported,

That on examining the statement, they find such evidence of the ability with which the affairs of that bank have been conducted, and of its sound and stable condition, as fully to sustain the high credit of the institution. Although the business of the bank has been such as to render its stock better and more profitable than that of any other bank in the State, yet your committee find that there are in circulation only sixteen hundred and seventy dollars eighty two cents of their bills than they have of the bills of other banks and specie in their vault; and that they have a surplus fund nearly equal to the whole amount of their bad and doubtful debts, and of estimated value of the real estate held by the bank. Your committee therefore, respectfully submit the following resolution:

Resolved, That the ability and fidelity with which the affairs of the bank of Augusta have been conducted, merit the approbation of the General Assembly, and entitle the bank to the fullest confidence of the public.

Which was read and agreed to.

Mr. Powell from the committee on banks, to whom the exhibit submitted by the bank of the State of Georgia to the Legislature was referred—Reported,

That the exhibit sustains the character of the institution, and shews that amidst the revolutions and disasters in the commercial world, by correct management, its solvency and its reputation have been maintained. The precious metals being the only solid support of a paper

it is therefore the policy of every monied institution to accumulate those in a sufficient quantity, to meet every demand that is made for the redemption of its paper. Pursuing such a policy, public confidence ensures its prosperity, and public feeling is identified with its reputation. Gold and silver from their ductility, and the ornamental uses to which they are put, both in a state of high civilization, and one of rude savagism, have been deemed not only the sign but the substance of wealth; they excite the avarice and desires of men, and as commerce opens avenues to the gratification of the appetites and passions, this is and uncurbed anxiety for their possession, augments and intensifies them and exercises an influence on every transaction and every element of the active scenes of life. It is not surprising that the precious metals should be sought after with avidity, and hoarded with care. For convenience, for transportation, for security against fraud, paper money as a medium however possesses equal advantages: for modern machinery has rendered forging more difficult than the alloying, clipping and filing of gold and silver; and when they are the basis of a currency, the public confidence reposes with equal security on one as the other. The proper standard by which we can estimate a currency or a circulating medium, is by comparison, and if it has a just and equal value with that of other countries, it may be considered sound and undepreciated. With a sufficiency of gold and silver and property, which in exchangeable value is equivalent to it, the debts secure, with its paper or bills answering all the purposes of barter, exchange, and sale, we are not hazarding too much in expressing our opinion that the bank of the State of Georgia is in a prosperous and flourishing condition.

Banks have to contend against fluctuations in commerce, and the accidents incidental to commercial transactions. Like individuals, they feel an anxiety to discharge the obligations they are under to the community: managed by men subject to the frailties of our nature, they often pursue plans which are frustrated, and experience results different from their anticipations; like individuals, but with increased resources, they have to extend credit, and encounter losses from failures and misfortunes, and sometimes from dishonest creditors: these are the incidents which are inseparable from money institutions and commercial transactions: but local or State banks have another and a more terrible evil to resist and contend against, it is the United States'

Bank, wielding a capital, which regulates the exchange between the several states, from the extensive circulation of its bills, it controls and influences every other institution, it exhausts their profits in the sinking of their credit. Collecting the revenue of the country, it controls the issues of the local banks by receiving this revenue in their bills and drawing upon its coffers for gold and silver. It may introduce the bills of its branches from the north and circulate them in the south, and from the distance and their wide diffusion, prevent any opposition of the local banks to protect themselves. It affords no favor to the citizens of the state where it is located, but trades alone for the benefit of its stockholders, with no sympathy for the wants of the community: protected by the supreme court against every measure adopted by the states to curtail its influence, its power equals that of the government itself.

With this view, subject to his mighty power, it is a subject of jurisdiction to the committee to state that the same has been stated in proper and then they have been every day and made by the State's back to the amount of more than one million at half of dollars, and at the same time given to the state and the stockholders a dividend on their stocks.

Which was read and agreed to.

Mr. Huxey called up the resolution relative to certain election which was amended to read as follows, and agreed to:

Resolved, That both branches of the Legislature will convene the Representative Chamber on Thursday next, at 3 o'clock, P. M. for the purpose of electing a Judge of the Supreme Court, and a chief justice for the Chattahoochee circuit.

Ordered, That the Senate do carry said resolution to the house of representatives forthwith for their concurrence.

Mr. Daniel had leave to report instantly a bill to amend the section of the 4th article of the Constitution of this State.

Which was read the first time.

On motion,

The senate resolved itself into a committee of the whole, on the bill for the relief of David Akridge, of Clark county, Mr. Porter in chair.

The president resumed the chair, and Mr. Porter reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the bill, it was determined in the negative.

The senate resolved itself into a committee of the whole on the bill for the relief of Wiley Alford, of Taliaferro county, Mr. Ray in chair.

The president resumed the chair, and Mr. Ray reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question to pass the same, it was determined in the negative.

The bill for the relief of Aven Floyd and John Rolen,

The bill to enjoin Martin Simmons and Colin Rogers to drag the contemplated land lottery,

The bill to enjoin Sarah S. Soper, of the county of Fayette participation in the present contemplated land lottery in this state.

And the bill to authorize the name of James W. Fennin, Jr. entered for one draw in the present contemplated land lottery.

Were ordered to lie on the table the balance of the session.

The bill to provide for a convention to amend and alter the constitution of this state,

Was ordered to lie on the table until called up.

The bill to authorise William Williamson to establish a ferry over Flint river, on his own land—Was read the second time and ordered for a third reading.

The following bills were read the second time and ordered for a committee of the whole.

A bill to reduce the salaries of the principal keeper of the penitentiary, and the attending physician.

A bill to alter the time of holding the superior courts in the southern circuit

A bill to alter and amend an act passed the 24th of Dec. 1825, establishing battation district elections in the county of Burke.

A bill to alter and amend an act entitled an act to amend the road laws of this State, assented to the 19 h Dec. 1818.

A bill to authorise certain commissioners herein named to raise by lottery the sum of three thousand dollars for the use of the De Kalb Academy—and also to authorise the judges of the inferior court to vest one thousand dollars of the county funds in said lottery.

A bill to amend an act, to incorporate the bank of Darien, passed 15th December 1818

A bill to appropriate money to improve the navigation of the Savannah river.

A bill to amend an act for the better protection of orphans and their estates, passed on the 18th day of February, 1799

A bill to authorise Henry Branham, &c and to authorise Springer Gibson to build a mill dam across the Flint river.

A bill to alter and amend the first section of an act entitled an act to alter and amend the 12th section of an act to protect the estates of orphans, and to make permanent provision for the poor, assented to the 18th Dec. 1816.

And a bill for the protection of securities on appeal, on stay of execution or recognizance, bond, note, or other contract.

The senate resolved itself into a committee of the whole on the bill to authorise Stephen M. Ingersoll to erect a bridge across the Chattahoochee river, and to vest in him and his representatives the proprietary interest thereof for thirty years, Mr. Daniel in the chair.

The president resumed the chair, and Mr. Daniel reported disagreement to the bill.

The senate took up and agreed to the report.

The senate resolved itself into a committee of the whole on the bill to provide for the completion of a civil code of laws for this state Mr. Powell, of McIntosh, in the chair.

The president resumed the chair, and Mr. Powell reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill further to support and encourage education in this State, and for the relief of the Academies thereof, Mr. Hoxey in the chair.

The President resumed the chair, and Mr. Hoxey reported progress and had leave to sit again.

The senate resolved itself into a committee of the whole on the bill further to amend an act to incorporate a bank to be called the bank of the State of Georgia, passed the 16th Dec. 1815, Mr. Tippins in the chair.

The president resumed the chair, and Mr. Tippins reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to amend the 14th section of an act, to protect the estates of orphans, and to make permanent provision for the poor, passed the 24th Nov. 1818, so far as respects the county of Burke, Mr. Sellars in the chair.

The president resumed the chair, and Mr. Sellars reported the bill with amendment.

The senate took up and agreed to the report.

The bill was read the third time, and passed under the title of a bill to amend the 14th section of an act to protect the estates of orphans, and to make permanent provision for the poor, passed the 24th Nov. 1818, so far as respects the counties of Burke and Elbert.

Mr. Hoxey had leave to report instantler a bill supplemental to and explanatory of act passed at the present session of the legislature, entitled an act to amend an act, passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825.

Which was read the first time.

Mr. Groves from the committee on enrollment reported as duly enrolled and signed by the speaker of the house of representatives, the following acts :

An act to amend an act, entitled an act amendatory of an act, passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825.

An act for the relief of Benjamin T. Rees and Talbot S. Rees, of Columbia county.

An act to alter and amend the road law, in reference to the liability of commissioners, and for other purposes, so far as respects the county of Elbert.

An act to divorce and separate John Smith and Sarah his wife.

An act to separate and divorce Mary Gorham and Thomas Gorham her husband.

An act to separate and divorce Hannah Norman and Sherwood Norman her husband.

change the name of John Bellar to that of John Mc-

amend an act passed the 9th day of December, 1824, to lay off Emanuel county and Tatnall into election districts as respects the county of Emanuel.

alter and amend so much of an act entitled an act to regulate the general elections of this state, and to appoint the time of the General Assembly of this state, so far as respects elections to be held at the place of holding the superior court as respects the counties of Hall, Richmond, Henry, and Gwinnett, and to amend an act, passed on the 18th day of December, relating to the county of Franklin, so far as relates to elections, heretofore held at the house of Samuel Armistead in the county of Henry.

repeal an act entitled an act further defining the duties of the sheriffs in this state, passed the 9th of Dec. 1824.

establish and regulate an additional election district in the county of Liberty.

incorporate Corinth Academy, in Baldwin county.

incorporate Oak Grove Academy in the county of Morgan, legitimate William Rose, formerly Wm. Flarity, and to make him the legal representative of Thomas G. Rose, of Upson county.

organise the territory lately acquired from the Creek Indians lying between the Flint and Chattahoochie rivers, and west of the Chattahoochie river.

repeal an act entitled an act to lay off the state into congressional districts, passed the 22d Dec. 1825.

where severally presented to and signed by the President of the Senate and House of Representatives.

That the committee on enrollment do carry said acts to the Governor for his assent.

Reported from the committee to whom was referred the petition of Elisha Tarver, the security of Joseph Bennett, for the rent of the ferry on the Ocmulgee river at Macon—Reported,

That the committee conceive the prayer of the petitioner as reasonable and therefore recommend the following resolution :

Resolved by the Senate and House of Representatives of the Georgia in General Assembly met, That the solicitor-general of the Flint Circuit be and he is hereby authorised to suspend the payment of the amount due the state on the bond given by the said Joseph Bennett, and Elisha Tarver, security, for the rent of the ferry on the Ocmulgee river at Macon, for the year 1825, until the first of January, 1828, upon the said Elisha Tarver giving good and sufficient security to the state for the eventual payment of the principal and interest due thereon.

Reported and agreed to.

Reported from the committee on Petitions, to whom was referred the petition of Nathan Grantham—Reported,

That they have had the same under consideration, and opinion on that the petition is reasonable, and ought to be granted, therefore submit the following resolution:

Resolved, That the sum of hundred dollars be placed at the disposal of the appropriation law subject to the order of Nathan Grantham for consideration of his revolutionary services.

Which was read and ordered to lie on the table.

Mr. Wimberly from the joint military committee, to whom referred the report of Lewis H. Kenan, military store keeper, reported,

That they have performed the duties assigned them—that they could examine, they find the report correct, and that the equipments, military store, &c. are in excellent order, and the situation highly creditable to the military store-keeper. They beg leave further to report, that they have acted on all that have come properly before them, and therefore beg to be discharged from any further duties as a committee during the balance session.

Which was read and agreed to.

Mr. Daniel presented the petition of Wm. Cunningham, with its accompanying documents were read—when

On motion of Mr. Daniel it was

Resolved That the treasurer be and he is hereby authorized to pay the sum of one hundred dollars to the legal representative of James Cunningham, deceased, the same having been paid to Cunningham for a licence to peddle, and it appearing that Cunningham was deprived of the use of the licence by sickness and that the same be inserted in the appropriation act.

A message was received from the house of representatives Dawson, their clerk:

Mr. President—

The house of representatives have passed a bill to appropriate for the support of Government during the political year 18

The senate took up the message and the bill was read the first

The senate adjourned until to morrow morning 10 o'clock

THURSDAY, December 14th, 1826.

Report from the joint committee on Finance, made a Report—
was read and ordered to lie on the table.

On motion of Mr. Daniel,
Senate took up the report upon the petition of John Screven.
Which was amended to read as follows, and agreed to:

Resolved, That upon a certificate of George Jones, then treasurer,
bills of credit issued under an act of 1786, claimed to be paid
to John Screven, are true and genuine, the Governor be and he is
authorised to direct the treasurer to receive said bills of credit
for the following amounts, viz:

One hundred twenty shilling bills.
One hundred and sixty of ten shillings.
One hundred and three of five shillings.
One hundred and forty nine of two shillings and sixpence.
One hundred and thirteen of one shilling.
One hundred and ten of sixpence.

And in consideration for the said bills, the Governor be and he is
authorised to transfer to said John Screven a certain bond
or mortgage given by Wm. Stephens in 1805, to John Milledge, go-
vernor and his successor in office, for two thousand four hundred
and sixty-six dollars seventy five cents, and that the Governor be
and he is authorised to direct the treasurer to issue a certificate in favor of
John Screven for the balance due him, which certificate shall be re-
ceived in payment of any debts due the state.

Senate took up the report of the committee of the State of the
Georgia, of the 8th instant, to whom was referred that part of the
Governor's communication and the accompanying documents which
relate to the treaties with the Creek Nation of Indians, and our dis-
putes with the General Government—Which was read,

On motion to agree thereto,

Yeas and nays being required—It was determined in the affir-

Yeas are 32, nays 26.

Those who voted in the affirmative are,

Yeas.

of Liberty	Footman	Scarlet
	Groves	Smith
	Hartman	Stokes
of Camden	Hoxey	Thomas

Brown of Decatur	Janes	Tippin
Brown of Monroe	Jones	Witt
Brockman	Knight	William
Choice	Lawson	Wimber
Clayton of Clark	Love	Wynn
Daniel	Ray	Wynn
Dyall	Scarborough	

Those in the negative are,
Messrs.

Alston	Coffee	Porter
Anderson	Foster	Spann
Blackstone	Frazer	Sellers
Blair	Harris	Strawn
Broadnax	Hendrick	Tennille
Burney	Joice	Walker
Cargille	Matthews	White
Clayton of Pulaski	Powell of McIntosh	Wooten
	Powell of Rabun	Young

The president voted in the affirmative.

The following message was received from the house
tives by Mr. Dawson their clerk :

Mr. President—

The house of representatives have passed the bill to
establish and regulate district elections in the county of

They have passed the following bills, to wit :

A bill to amend the penal code so far as relates to
of voluntary manslaughter.

A bill to amend the several acts of the Legislature
concerning the river Savannah, within the jurisdiction
of Savannah, &c.

A bill to incorporate the Virgil Hall Academy, in
Rabun—and

A bill for the relief of Mark Donald Clark.

The house of representatives have unanimously agreed
port of the joint judiciary committee, recommending
to remove Thomas F. Wells, attorney-general, from office
complies with certain conditions therein expressed.

To a resolution requiring the principal engineer for
a survey of that section of the Oconee river lying between
of Fising creek and the present boat landing, and to
able cost.

They have agreed to a preamble and resolution,
General Andrew Jackson to the office of President.

To the report of the joint judiciary committee relating
to claims of 1791, 2 and 3.

To a resolution to have published in the Gazette of

an act amendatory to the land lottery act, passed this session of the legislature, &c.

To all which they desire concurrence.

They have concurred in the resolution of Senate relative to the election of a Judge and Solicitor-General for the Chattahoochie Circuit.

The bill supplemental to and explanatory of an act, passed at the present session of the Legislature, entitled an act to amend an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States, for the use of Georgia, of the Creek Nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825—Was read the second time and ordered for a third reading.

The bill to amend the 15th section of the 4th article of the Constitution of this State—Was read the second time and ordered for a committee of the whole.

The bill to authorise William Williamson to establish a ferry over Flint river, on his own land—Was read the third time and passed.

The senate resolved itself into committee of the whole, on the bill to authorise certain commissioners herein named, to raise by lottery the sum of three thousand dollars, for the use of the De Kalb Academy—and also to authorise the Judges of the Inferior Court to vest one thousand dollars of the county funds in said lottery, Mr. Spann in the chair.

The president resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill further to support and encourage education in this state, and for the relief of the academies thereof, Mr. Hoxey in the chair.

The president resumed the chair, and the bill was reported with an amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the question to pass the bill—it was determined in the negative.

The yeas are 28, the nays are 30.

Those in the affirmative are,
Messrs.

Alston	Clayton of Pulaski	Mitchell
Baker of Liberty	Coffee	Porter
Beall	Daniel	Scarborough
Broadnax	Footman	Sellers
Brown of Camden	Harmon	Stokes
Brockman	Hendrick	Tennille
Burney	Hoxey	Walker

Cargille
Choice
Clayton of Clark

Janes
Matthews

White
Wynn of Gwinnett

Those in the negative are,
Messrs.

Allen
Anderson
Blackstone
Blair
Brown of Decatur
Brown of Monroe
Dyall
Foster
Frazer
Groves

Janes
Joice
Knight
Lawson
Love
Powell of McIntosh
Powell of Rabun
Ray
Spann
Scarlett

Smith
Strawn
Thomas
Tippins
Wirt
Williams
Wimberly
Wooten
Wynn of Hall
Young

The senate resolved itself into a committee of the whole, on the bill to amend an act to incorporate the bank of Darien, passed the 15th of December, 1818, Mr. Beall in the chair.

The president resumed the chair, and the bill was reported with amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the bill, the yeas and nays being required it was determined in the affirmative.

The yeas are 32, the nays are 25.

Those in the affirmative are,
Messrs.

Allen
Alston
Anderson
Beall
Blair
Broadnax
Brown of Decatur
Brown of Monroe
Brockman
Burney
Choice

Clayton of Clarke
Clayton of Pulaski
Foster
Frazer
Harman
Hendrick
Hoxey
Janes
Jones
Lawson
Love

Mitchell
Parter
Scarborough
Smith
Stokes
Wirt
Williams
Wimberly
Wynn of Gwinnett
Wynn of Hall

Those in the negative are,
Messrs.

Baker of Liberty
Brown of Camden
Cargille
Coffee
Daniel
Dyall
Footman
Groves
Harris

Joice
Knight
Matthews
Powell of McIntosh
Powell of Rabun
Ray
Spann
Scarlett

Strawn
Teenille
Thomas
Tippins
Walker
White
Wooten
Young

The honorable senator from the county of Houston, had leave of absence for a few days.

A message was received from his Excellency the Governor, by Mr. Pierce, his secretary, informing the senate that his Excellency had approved and signed a resolution which originated in this branch, for the election of a Judge and Solicitor for the Chattahoochie Circuit, on this day at the hour of 3 o'clock, P. M.

The senate adjourned until 3 o'clock, P. M.

Thursday Evening, 8 o'clock

On motion of Mr. Alston,

Resolved, That Benjamin F. Harris, Angus McLeod, and Norman McRea, be and they are hereby appointed commissioners of the Montgomery County Academy, in place of Moses Daniel and Daniel McIntosh removed, and James McLeod, deceased.

A message was received from the house of representatives by Mr. Dawson their clerk, informing the senate, that the house of representatives were now ready to receive them in their chamber to proceed to the elections set apart for this day, at the hour of 3 o'clock, P. M.—Whereupon,

The president and members of Senate repaired to the Representative Chamber, when both branches of the General Assembly proceeded by joint ballot to the election of a Judge of the Superior Court for the Chattahoochie Circuit—And on counting out the votes it appeared that Gen. Walter T. Colquitt was duly elected.

They then proceed in like manner to the election of a Solicitor-General for said Circuit—And on counting out the votes it appeared that Col. Samuel Armstrong Bailey was duly elected.

The president and members of Senate returned to their chamber.

And adjourned until to morrow morning 10 o'clock.

FRIDAY, December 15th, 1896.

On motion of Mr. Powell, of McIntosh, to reconsider so much of the journal of yesterday as relates to the passage of a bill to amend an act to incorporate the bank of Darien, passed the 15th December, eighteen hundred and fifteen.

The yeas and nays being required, it was determined in the affirmative.

The yeas are 33, the nays are 24.

Those in the affirmative, are
Messrs.

Alston	Groves	Spain
Baker of Liberty	Harris	Scarlett
Blackstone	Joice	Sellers
Brown of Camden	Jones	Strawn
Brown of Decatur	Knight	Tennille
Cargille	Lawson	Thomas
Clayton of Pulaski	Love	Tippins
Coffee	Powell of McIntosh	Walker
Dyall	Powell of Rabun	White
Footman	Porter	Wooten
Frazer	Ray	Young

Those in the negative are,
Messrs.

Allen	Clayton of Clarke	Scarborough
Anderson	Foster	Smith
Beall	Harman	Stokes
Blair	Hendrick	Witt
Brown of Monroe	Hoxey	Williams
Brockman	Janes	Wimberly
Burney	Matthews	Wynn of Gwinnett
Choice	Mitchell	Wynn of Hall

The honorable senators from the counties of Butts and Camden, had leave of absence after to-morrow for the remainder of the session.

The honorable senator from the county of Bibb had leave of absence for a few days.

The honorable senator from the county of Glynn, had leave of absence after Tuesday next for the remainder of the session.

Mr. Groves from the committee on enrollment, reported as duly enrolled and signed by the speaker of the house of representatives. An act to establish and regulate district elections in the county of Wilkes.

Which was presented to and signed by the president of senate.

Ordered, That the committee on enrollment do carry said act to his excellency the Governor for his assent.

Mr. Allen called up the resolution relative to certain elections. Which was read, amended, and ordered to lie on the table.

On motion of Mr. Beall,

Resolved, That the hon. John Williams, Samuel Groves, and Thos. F. Anderson be, and they are hereby appointed a committee to adjust the accounts of the members and officers of the senate, and to see the unfinished business brought up, and that the secretary of senate and his assistants, be allowed the sum of six dollars each per day for three days, to complete their unfinished business, and the committee the sum of four dollars each per day for the like period, and that the said sums be placed in the president's warrants.

The senate took up the resolution authorising the purchase of certain maps.

Which was read and ordered to lie on the table the remainder of the session.

The following message was received from the house of representatives by Mr. Dawson their clerk :

Mr. President—

The house of representatives have agreed to all the amendments made by senate to the bill of the house, to raise a tax for the support of government for the year 1827, *except the amendment to reduce the tax 25 per centum.*

The house of representatives has disagreed to the amendment of senate to the bill of the house, to establish free schools in Gwinnett county.

They have passed the following bills, to-wit :

A bill for the relief of Lewis Lynch of Putnam county—and

A bill to provide for the improvement of the navigation of certain water courses therein expressed.

The senate took up the message so far as respects the bill to provide for the improvement of the navigation of certain water courses therein expressed.

Which was read the first time.

Ordered, That the remainder of the message lie on the table.

The president laid before the senate a statement from the honorable Thomas R. Mitchell, senator from the county of Walton, with an affidavit of Robert M. Echols, Esq. annexed thereto, charging Hines Holt, Esq. with having committed an assault and battery on said Thomas R. Mitchell, and a breach of privilege of the Senate, and demanding of the president that a warrant may issue against said Hines

Holt to the messenger, to bring him to the bar of the senate to answer for his conduct.

Which were read, and

On motion of Mr Blair,

Resolved, That the president do issue his warrant, directed to the messenger, commanding him to arrest the body of Hines Holt, Esq. and bring him before the bar of the senate to answer a complaint filed against him by the honorable senator of Walton county, supported by the oath of Robert M. Echols.

The senate took up and agreed to a resolution laid on the table on the 8th instant, authorising the justices of the Inferior court of Upson county, to lease out Chemolly's reserve, and apply the proceeds to the use and benefit of the poor.

The senate took up and agreed to the report of the committee on the bill to establish an additional electoral district in the county of Columbia.

And the bill was read the third time and passed.

The honorable senator from the county of Chatham had leave of absence for a few days.

The bill to appropriate monies for the support of government during the political year 1827.

Was read the second time and ordered for a committee of the whole

The bill supplemental to and explanatory of an act passed at the present session of the legislature, entitled an act to amend an act passed the 9th day of June, 1825, to dispose of and distribute the lands lately acquired by the United States for the use of Georgia of the Creek Nation of Indians, by a treaty made and concluded at the Indian Spring on the 12th day of February, 1825.

Was read the third time.

And on the passage of the bill, the yeas and nays being required it was determined in the affirmative.

The yeas are 34, the nays are 20.

Those in the affirmative are,
Messrs.

Allen	Frazer	Spann
Alston	Harris	Scarlett
Beall	Hendrick	Tennille
Blackstrae	Hoxey	Tippins
Blair	Janes	Walker
Brown of Monroe	Jones	White
Brockman	Knight	Winberly
Cargille	Love	Wooten
Choice	Mithcell	Wynn of Gwinnett
Clayton of Pulaski	Powell of Rabun	Wynn of Hall
Dyall	Porter	Young
Footman		

Those in the negative are,

Messrs.

Anderson	Groves	Starborough
Brown of Camden	Harman	Smith
Brown of Decatur	Joice	Stokes
Burney	Lawson	Strawn
Clayton of Clarke	Matthews	Thomas
Coffee	Powell of McIntosh	Witt
Foster	Ray	

The senate resolved itself into a committee of the whole, on the bill to amend the 15th section of the 4th article of the constitution of this State. Mr. Lawson in the chair.

The president resumed the chair, and the bill was reported without amendment.

Ordered, that the report lie on the table.

The following communication was brought from the Governor by his secretary, Mr. Pierce :

*Executive Department, Ga }
Milledgeville, 15th Dec. 1826 }*

In addition to the information heretofore received of the murder of two of our fellow-citizens of Thomas county, by the Florida and Seminole Indians as is now believed, an express arrived this morning from Capt Johnson, who had been previously charged to cover with an armed party the most exposed part of the frontier, communicating the further unpleasant intelligence of other shocking murders having been committed on unoffending families within the limits of Florida and near to the Georgia line—the particulars of which, and of a considerable Indian force being embodied and in arms, will be found in the copy of the letter of Capt. Johnson herewith transmitted. The prompt and energetic measures taken by the Governor of Florida to apprehend the perpetrators of the first murders, may give safety to that frontier until Capt Johnson is supported. It is deemed expedient to order a corps of cavalry to reinforce him, which will be on its march in a few days. The legislature may see the propriety of giving its sanction to this and other measures which may be thought necessary to make the protection effectual.

Signed,

G. M. TROUP.

Which, with the letter accompanying it, was read and referred to the committee on the state of the republic.

The senate resolved itself into committee of the whole on the bill to amend an act, entitled an act, to enable feme coverts to convey their estates, and for confirming and making valid all conveyances and acknowledgements heretofore made by feme coverts, passed April 24th, 1760, so far as the same relates to feme coverts conveying their dower. Mr. Tennille in the chair.

The president resumed the chair, and the bill was reported with amendment.

On motion of Mr. Brockman to lay the report on the table the balance of the session.

The yeas and nays being required, it was determined in the negative.

The yeas are 25, the nays are 30.

Those in the affirmative are,
Messrs.

Allen	Harman	Spann
Blackstone	Harris	Scarlett.
Brown of Camden	Hoxey	Smith
Brockman	Joice	Tennille
Coffee	Jones	Thomas
Dyall	Knight	Walker
Footman	Lawson	Wooten
Foster	Love	Wynn of Hall
Groves		

Those in the negative are,
Messrs.

Alston	Clayton of Pulaski	Scarborough
Anderson	Frazer	Sellers
Brall	Hendrick	Stokes
Blair	Janes	Strawn
Brown of Decatur	Matthews	Tippins
Brown of Monroe	Mitchell	White
Burney	Powell of McIntosh	Witt
Cargille	Powell of Rabun	Wimberly
Choice	Porter	Wynn of Gwinnett
Clayton of Clarke	Ray	Young

On motion to strike out that paragraph of the report in the following words :

And be it further enacted, That whenever it shall so happen that any person shall die intestate and without issue, his wife shall inherit the whole estate both real and personal of her deceased husband, after paying his just debts.

The yeas and nays being required, it was determined in the negative.

The yeas are 14, the nays are 41.

Those in the affirmative are,
Messrs.

Allen	Joice	Tippins
Brown of Decatur	Love	Walker
Coffee	Matthews	Wimberly
Foster	Powell of McIntosh	Young
Groves	Thomas	

Those in the negative are,
Messrs.

Alston	Footman	Scarborough
Anderson	Frazer	Spann
Beall	Harman	Scarlett
Blackstone	Harris	Sellers
Blair	Hendrick	Smith
Brown of Camden	Hoxey	Stokes
Brown of Monroe	Janes	Strawn
Brockman	Jones	Tennille
Barney	Knight	White
Cargille	Lawson	Witt
Choice	Mitchell	Wooten
Clayton of Clarke	Powell of Rabun	Wynn of Gwinnett
Clayton of Pulaski	Porter	Wynn of Hall
Dyall	Ray	

Mr. Clayton of Clarke, moved the previous question.

An on the question, "shall the main question be put?" it was determined in the affirmative.

The report being agreed to, the bill was read the third time, and on the passage of the bill, it was determined in the affirmative.

The yeas and nays being required, are yeas 39, nays 16.

Those in the affirmative are,
Messrs.

Alston	Dyall	Spann
Anderson	Frazer	Scarlett
Beall	Harman	Sellers
Blackstone	Hendrick	Smith
Blair	Hoxey	Stokes
Brown of Camden	Janes	Strawn
Brown of Decatur	Matthews	Tennille
Brown of Monroe	Mitchell	Tippins
Barney	Powell of McIntosh	White
Cargille	Powell of Rabun	Witt
Choice	Porter	Wimberly
Clayton of Clarke	Ray	Wynn of Gwinnett
Clayton of Pulaski	Scarborough	Young

Those in the negative are,
Messrs.

Allen	Harris	Love
Brockman	Joice	Thomas
Coffee	Jones	Walker
Footman	Knight	Wooten
Foster	Lawson	Wynn of Hall
Groves		

The Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, December 16, 1826.

On motion of Mr. Hoxey,

The senate reconsidered so much of their journal of yesterday as relates to the proceedings in the case of Hines Holt, Esq. for an assault and battery upon the body of Thomas R. Mitchell, Esq. senator elect from the county of Walton.

Mr. Brockman moved to reconsider so much of the journal of yesterday as relates to the passage of the bill to amend an act entitled an act to enable feme coverts to convey their estates, and for confirming and making valid all conveyances and acknowledgments heretofore made by feme coverts, passed April 24th, 1760, so far as the same relates to feme coverts conveying their dower—Which was determined in the negative.

On motion of Mr. Blair.

The senate took up the bill to amend an act to incorporate the bank of Darien, passed 15th Dec. 1818.

And on its passage the yeas and nays being required, it was determined in the affirmative.

The yeas are 30, the nays are 26.

Those in the affirmative are,
Messrs.

Allen	Choice	Matthews
Alston	Clayton of Clark	Scarborough
Anderson	Clayton of Pulaski	Sellers
Beall	Foster	Smith
Blackstone	Frazer	Stokes
Blair	Harman	Witt
Brown of Hancock	Hendrick	Williams
Brown of Monroe	Hoxey	Wimberly
Brockman	Janes	Wynn of Gwinnett
Burney	Jones	Wynn of Hall

Those in the negative are,
Messrs.

Brown of Camden	Knight	Strawn
Brown of Decatur	Lawson	Tennille
Cargille	Mitchell	Thomas
Coffee	Powell of McIntosh	Tippius
Dyall	Powell of Rabun	Walker
Footman	Porter	White
Groves	Ray	Wooten
Harris	Spann	Young
Joice	Scarlet	

Ordered, That the secretary do carry said bill forthwith to the house of representatives for their concurrence.

The following communication was received from his Excellency the Governor, by Mr. Pierce his secretary :

Executive Department, }
Milledgeville, Dec. 16, 1826. }

Brigadier General Walter T. Colquitt having resigned the command of the 2d brigade of the 7th division, a vacancy has occurred which it is my duty to make known to the legislature.

(Signed)

G. M. TROUP.

On motion of Mr Clayton, of Clark,

Resolved, That both branches of the General Assembly convene in the representative chamber on Monday next, at 3 o'clock, P. M. for the purpose of electing a brigadier general of the 2d brigade of the 7th division, in the place of Gen. Colquitt, resigned.

Ordered, That the secretary do carry said resolution forthwith to the house of representatives for their concurrence.

The honorable senators from the counties of Liberty and Emanuel had leave of absence for to day.

The honorable senators from the counties of Ware and Lowndes, had leave of absence after Wednesday next, for the remainder of the session.

The honorable senator from the county of Decatur had leave of absence after Monday next, for the remainder of the session.

The honorable senator from the county of Burke had leave of absence after Thursday next, for the remainder of the session.

Mr. Scarlett again called up his resolution relative to the adjournment of the General Assembly *sine die*, on Wednesday the 20th instant—Which was read and again ordered to lie on the table.

On motion of Mr. Clayton of Clark,

Resolved, That the judiciary committee having gone through the business referred to them from each branch of the general assembly, and nothing further remaining for their consideration, they ask leave of their respective branches to be discharged from any further duties.

Mr. Matthews submitted for consideration the following resolution:

Resolved, That be and they are hereby appointed a committee on the part of this house to join such committee as may be appointed on the part of the house of representatives, whose duty it shall be to proceed in the ensuing recess of the

Legislature, to prepare or cause to be prepared and drafted, the plan of a State House, of sufficient size to accommodate the ultimate number of Senators and Representatives of this State, and for the several state offices; and to make a detailed estimate of the cost of building the same, designating as far as may be, the quantities and prices of the materials, and other particulars on which such estimate shall be founded. And it shall also be the duty of such joint committee, or a majority thereof, to view the town of Macon, with special reference to its eligibility as the seat of the State Government—and also to view and estimate the increase in the value of the lot and public lands in and about Macon, which in their opinion would ensue from the removal of the seat of Government to that place. And it shall be the further duty of such committee to report to the next session of the Legislature, as well their detailed estimate aforesaid, as their general view of the expediency of the removal of the seat of Government to Macon or to any other place.

It was proposed to fill the blank with the names of the following senators:

Messrs. Matthews, Brown, of Monroe, Wimberly, Clayton, Clark, Williams, Hendrick, Brown, of Hancock, Janes, and Cargille—when,

On motion of Mr. Williams to lay it on the table the remainder of the session.

The yeas and nays being required—It was determined in the affirmative. The yeas are 30, nays 21.

Those in the affirmative are,
Messrs.

Allen	Footman	Stokes
Anderson	Frazer	Tennille
Beall	Groves	Thomas
Blair	Harman	Walker
Brown of Camden	Hoxey	Witt
Brown of Hancock	Janes	Williams
Brockman	Powell of Rabun	Wooten
Choice	Porter	Wynn of Gwinnett
Clayton of Clark	Spann	Wynn of Hall
Dyall	Smith	Young

Those in the negative are,
Messrs.

Alsop	Harris	Ray
Brown of Monroe	Hendrick	Scarborough
Burney	Jones	Sellers
Cargille	Knight	Strawn
Clayton of Pulaski	Lauson	Tippins
Coffee	Matthews	White
Foster	Powell of McIntosh	Wimberly

On motion of Mr. Clayton of Clark,
Resolved, That the communication of the senator of Walton, and
 the affidavit accompanying the same, be referred to a committee
 to investigate the same, and to have power to send for persons
 and the accused be released from the warrant under which he
 has been arrested.

Ordered, That Messrs. Clayton of Clark, Burney, Blair, Lacon,
 and Hoxey, be that committee.

Mr. Janes from the committee on enrollment reported as duly en-
 rolled, an act further to amend an act to incorporate a bank, to be
 called the bank of the State of Georgia, passed 16th Dec. 1815—
 which was presented to and signed by the president of the senate.

Ordered, That the committee on enrollment do carry said act to
 the Excellency the Governor for his assent.

The following message was received from the house of representa-
 tives, by Mr. Dawson, their clerk:

Mr. President—

The House of Representatives have passed the following bill/
 wit:

A bill to raise by lottery the sum of \$250,000, to establish a turn-
 pike road from Athens to Augusta.

A bill to extend temporary relief to persons who purchased
 states interest in lots of land in the counties of Bibb, Houston,
 Crawford, Monroe, Pike, Fayette, Henry, De Kalb, Newton, and
 others.

A bill amendatory to an act to organize the counties of Thom-
 as and Lowndes, so far as respects the 11th section of said act, pass-
 ed 11th Dec. 1825.

A bill to alter and amend an act to alter and amend the road law
 of this state, passed 19th December 1818, so far as respects Frank-
 lin county and others.

A bill to regulate the trading of merchants, shop-keepers, an-
 others, so far as respects the county of Liberty, and to punish those
 who may attempt to defeat the same.

A bill to create a new brigade in the 5th division of Georgia militia.

A bill to amend the several estray laws of this state.

A bill to amend an act, passed 23d Dec. 1822, for the relief of
 debtor's families—and

A bill to regulate battalion musters in the county of Liberty.

And they have agreed to the report of the committee on the State
 of the Republic, in relation to recent murders that have been perpe-
 trated upon certain citizens of this State on the Florida line, by the
 Seminole or Lower Creek Indians—to which they desire concur-
 rence.

They have unanimously passed a bill to alter and amend the 7th
 section of the 2d article of the constitution of the State of Georgia.

The senate took up the several messages from the house of repre-
 sentatives.

The report of the committee on the state of the republic in relation to recent murders that have been perpetrated upon certain citizens of this state, on the Florida line, by the Seminole or Lone Creek Indians :

The resolution requiring the principal engineer forthwith to make a survey of that section of the Oconee river lying between the mouth of Fishing creek and the present boat landing, and to report the probable cost :

The report of the joint judiciary committee relative to the mill claims of 1791, 2 and 3—and

The resolution to have published in the gazettes of Milledgeville an act amendatory to the land lottery act, passed this session of legislature, &c.—Were severally read and concurred in.

The report of the joint judiciary committee, recommending Governor to remove Thomas F. Wells, attorney-general, from office unless he complies with certain conditions therein expressed—Was read and unanimously concurred in.

The preamble and resolution recommending General Andrew Jackson to the office of President of the United States, was read when

Mr. Clayton of Clark, proposed the following as a substitute :

Resolved, As the sense of this legislature that it is the interest Georgia to support General Andrew Jackson for President of the States, in preference to any man now before the public as a candidate for that office. That it is the opinion of this legislature, if Jackson should obtain that high and responsible trust, it will be discharged with fidelity and a strict regard to the rights and interests of every portion of the Union, which is all that the south asks or desires, and the distinction is not now mentioned with any view to demand or receive any thing more than its just rights. A faithful construction of the fundamental principles of the government, and an honest and equal administration of its laws, are all that it claims ; and this believes would result in a higher degree from the choice of Jackson than from any other man now looked to as a candidate.

Which was read and together with the original, ordered to lie on the table.

The amendment made by senate to the bill of the house of representatives, to raise a tax for the support of government for the political year 1827, so far as to reduce the tax twenty five per cent which the house of representatives had disagreed—was read,

And on motion it was resolved, that the senate do recede from said amendment.

The amendment of Senate to the bill of the house of representatives, to establish free schools in the county of Gwinnett, to which the house of representatives disagreed—was read,

And on motion of Mr. Wynn of Gwinnett, it was resolved, that the senate do adhere to said amendment.

The bills contained in said messages were severally read the first time.

Mr. Clayton of Clark, presented a new system of education proposed to be adopted by the Trustees of the Powelton Academy—which was referred to the committee on public education and free schools.

The following message was received from his Excellency the Governor, by Mr. Pierce, his secretary :

Executive Department, Ga.
December 16, 1826. }

The report of the commissioners of Tugalo, and the commissioners of the Oconee, relative to the improvement of the navigation of the rivers respectively, are submitted to the legislature.

(Signed)

G. M. TROUP.

Which was read—when,

On motion of Mr. Blair, the report of the commissioners of Tugalo river—Was referred to a committee consisting of Messrs. Blair, Clayton of Clark, and Anderson.

The bill to provide for the improvement of the navigation of certain water courses therein expressed—Was read the second time and referred for a committee of the whole.

The senate resolved itself into a committee of the whole, on the bill to authorise a lottery for the benefit of Wrightsboro' Academy, in Columbia county. Mr. Witt in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to amend an act appointing vendue masters for the city of Augusta, passed 21st Dec 1819. Mr. Scarlett in the chair.

The president resumed the chair, and Mr. Scarlett reported the bill without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate took up and agreed to the report of the committee of the whole on the bill to amend an act supplementary to an act, more effectually to enforce an act entitled an act prescribing the mode of committing slaves in this State, and also to prevent the inveigling and illegal carrying out of the State persons of color.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to appropriate money to improve the navigation of the Savannah river. Mr. Coffee in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on a bill to alter and fix the time of holding the superior courts in the southern circuit. Mr. Walker in the chair.

The president resumed the chair, and the bill was reported with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed, under the title of bill to alter and fix the times of holding the superior courts in a part of the southern circuit.

The senate resolved itself into a committee of the whole on a bill to reduce the salaries of the principal keeper of the penitentiary and the attending physician. Mr. Powell of McIntosh in the chair.

The president resumed the chair, and Mr. Powell reported disagreement to the bill.

The senate took up the report.

And on motion to agree thereto,

The yeas and nays being required—It was determined in the affirmative. The yeas are 30, nays 20.

Those in the affirmative are,

Messrs.

Blair	Harman	Scarborough
Brown of Decatur	Harris	Sellers
Brown of Monroe	Jones	Smith
Brockman	Jones	Tennille
Choice	Knight	Thomas
Clayton of Clark	Lawson	Walker
Coffee	Mathews	Witt
Dyall	Powell of McIntosh	Williams
Footman	Porter	Winberly
Foster	Ray	Wynn of Gwinnett

Those in the negative are,

Messrs.

Allen	Frazer	Spann
Alston	Groves	Strawn
Anderson	Hendrick	White
Beall	Hoxey	Wooten
Blackstone	Joice	Wynn of Hall
Burney	Mitchell	Young
Clayton of Pulaski	Powell of Rabun	

The senate took up and agreed to the following report of the joint committee on finance—And which is as follows:

The Joint Committee on Finance have had the subject of the finances of the state under its consideration, and take leave to make the following report as the result of their investigation:

The committee have examined the books of the treasurer, and find that the entries of the receipts and expenditures correspond with the extract of that officer, which was submitted to the legislature near the commencement of the session, and referred to your committee, which document it appears that the receipts into the treasury up to the 5th Nov. 1826, added to the balance on hand when the present incumbent came into office,

Amounts to the sum of	-	-	-	\$1,008,280 18
The expenditures during the same time,				
amount to the sum of	-	-	-	216 158 17
Leaving a cash balance on hand of	-	-	-	\$792,122 04

This balance which on examination is found to be in the Treasury, consists of the following description of bank notes and other currency, viz:

Bills on the bank of Darien,	-	-	-	\$590 500
" " Planters' Bank,	-	-	-	29 870
" " State Bank of Georgia,	-	-	-	153,605
" " Augusta Bank,	-	-	-	11 460
" " United States' Bank,	-	-	-	4 897 50
Silver, in crowns and half crowns,	-	-	-	1,040 60
" " dollars and half dollars,	-	-	-	707 00
" " small change,	-	-	-	41 13
Balance,	-	-	-	\$792,122 03

Your committee have also examined the list of Executive Warrants drawn on the Treasury, and find as far as they are able to discover, that the warrants are drawn on the proper funds. They recommend that document to be considered as a part of their report, and a very important part as setting forth the manner and amount of the expenditure of the public monies, and the various objects to which the funds of the state have been applied, than which no part of the transactions of the government is more interesting to the people, or should be more fully known and understood by them.

Mr. Coffee offered the following resolution, which was read and agreed to:

Resolved, That the Statement of Warrants drawn on the Treasury, during the political year 1826, or between the first Monday in November, 1825, and the first Monday in November, 1826, which forms a part of the Report of the joint committee on Finance, be annexed to the printed journal of the Senate, as an appendix, and that the insertion of the same on the engrossed journal of Senate be dispensed with.

The senate adjourned until Monday morning next 10 o'clock

MONDAY, December 18th, 1828.

On motion of Mr. Porter,

The senate reconsidered so much of the journal of Saturday last as relates to the passage of the bill to alter and fix the time of holding the Superior courts in the southern circuit.

Ordered, that said bill lie on the table for the present.

Mr. Williams submitted for consideration, the following resolution:—

Resolved, That his excellency the Governor withhold the issue of the warrant for the last quarter's salary of the State-house officers, until he shall be satisfied that all their books are brought up, a what by law they are required to do, has been done in their respective offices.

When on motion of **Mr. Coffee** to lay the resolution on the table for the present.

The yeas and nays being required, it was determined in the negative.

The yeas are 25, the nays are 27.

Those in the affirmative are,

Messrs.

Anderson	Frazer	Sellers
Beall	Groves	Strawn
Blair	Joice	Tennille
Broadnax	Mitchell	Walker
Brown of Camden	Powell of McIntosh	White
Burney	Powell of Rabun	Weilborn
Clayton of Pulaski	Porter	Wooten
Coffee	Spann	Young
Foster		

Those in the negative are,

Messrs.

Allen	Footman	Smith
Baker of Liberty	Harman	Stokes
Baker of Warren	Harris	Thomas
Brown of Decatur	Hoxey	Tippins
Brown of Monroe	Janes	Witt
Brockman	Jones	Williams
Choice	Knight	Wimberly
Clayton of Clark	Ray	Wynn of Gwinnett
Dyall	Scarborough	Wynn of Hall

The resolution was then amended to read as follows, and agreed to:

Resolved, That his excellency the Governor withhold the issuing the warrant for the last quarters salary of the State-house officers, if he shall be satisfied that all their books are brought up, and if by law they are required to do, has been done in their respective offices in relation to the recording of papers and keeping their of-books.

Mr. Clayton, of Clarke, from the committee to whom was referred letter of the honorable senator of Walton county, on the subject of an assault committed upon him by Hines Holt, E. q.

Reported—Upon ascertaining the facts relating to the affair, find the same has no connection with the official conduct of said senator, and therefore recommend that the subject be discharged from further consideration of the senate.

Which was read and agreed to.

In motion of Mr. Blair,

Whereas, it is necessary to hold all public functionaries to a strict responsibility in the punctual discharge of their duties.

Be it therefore Resolved, That his excellency the Governor cause monies remaining in the hands of delinquent solicitors generals ~~the~~ terms of office have expired, to be collected with as little delay as practicable.

In motion of Mr. Clayton, of Clarke,

Resolved, That the penitentiary committee be requested to enquire into the causes of the revolt and escape of certain convicts from said institution on Saturday last, and that they ascertain, if possible, how said convicts became possessed of arms ammunition, and spirits, and report to this legislature the best means of preventing the recurrence of a similar circumstance.

The senate took up and agreed to the report of the joint printing committee of the 11th inst. relative to the printing of the laws and journals of the present session.

The senate took up and agreed to the report of the committee on petition of John Bailey, of the 5th inst.

The senate took up and agreed to the following resolution :

Whereas, both branches of the general assembly are too numerous, creating great expense and delay in the despatch of public business, and is, according to the population in the respective counties, very unequal. And whereas also, from the increasing number of members in both branches of the general assembly, the house set apart for their deliberations will not be sufficiently large for that purpose, and will consequently be required to be enlarged at very great expense—Therefore,

Be it Resolved, That at the next general election for members of the general assembly, the voters be requested to signify to the ensuing legislature, whether they wish a convention for the special and exclusive purpose of altering the 3d section and 7th sections of the first article of the constitution of this state, so far as to authorise a reduction of the members of the senate and house of representatives, and to be apportioned hereafter upon the principles of population alone ; and in order to ascertain the sense of the voters on this subject, those who are in favor of a convention, will please endorse on their tickets, the word "Convention," those who are against it, will endorse the words "No Convention."

The senate took up, and on motion of Mr Porter, recommitted the bill to alter and fix the time of holding the Superior courts in a part of the southern circuit.

The senate then resolved itself into a committee of the whole on the said bill. Mr. Tennille in the chair.

The president resumed the chair, and the bill was reported with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed, under the title of

A bill to alter and fix the time of holding the Superior courts in a part of the Southern circuit, and to alter and fix the time of holding the Superior courts in the Flint circuit.

Ordered, That the secretary do carry forthwith said bill to the house of representatives for their concurrence.

The following message was received from the house of representatives by Mr. Dawson, their clerk.

Mr. President :

The house of representatives have concurred in the report of the joint committee on the state of the republic, on the subject of the treaties with the Creek nation of Indians, and our differences with the general government.

To a resolution from the committee on finance in favor of Benjamin Cook.

To a resolution in favor of James Wade a free man of color, to all which they desire concurrence.

They have passed the following bills, to wit :

A bill to authorise and empower the trustees of Columbia county academy to sell certain real estate belonging to said institution.

A bill to appoint trustees for the poor school fund of the county of Ware, and vest the fund of the Ware county academy in the same.

A bill to incorporate Leonicera academy in Baldwin county.

A bill to authorise certain commissioners therein named, to establish a lottery for the purpose of raising the sum of fifteen thousand dollars to be appropriated to the building of a Masonic Hall in the town of Milledgeville.

A bill to authorise the church wardens and vestry men of St. Paul's church, Augusta, to sell a part of the church lot, &c.

A bill to alter and amend an act passed 22d December, 1823, to alter and amend an act passed 23d December, 1822, to distribute the bank dividends, &c.

A bill to define the mode of proving accounts due the penitentiary.

A bill to authorise the trustees of Sparta academy in the county of Hancock, to raise by lottery the sum of five thousand dollars for the benefit of said academy.

A bill to establish election districts in the county of Warren.

A bill to change the time of holding the Inferior court in the county of Butts.

A bill to authorise the commissioners appointed to lay off the town of Macon, to set apart a suitable piece of ground for the Methodist church.

A bill to preserve the timber in the vicinity of Macon.

A bill to incorporate the Presbyterian, Episcopalian, and Baptist churches in the town of Macon and county of Bibb.

A bill for the division of the county of Jefferson into electoral districts.

A bill to establish and fix the name of the female academy in the county of Elbert, and incorporate the trustees thereof.

A bill for the relief of Henry T. Hall and Sarah his wife.

A bill for the relief of Levy Reynolds.

A bill to compensate the commissioners appointed, and that may hereafter be appointed, to keep open the main channel of Broad river for the free passage of fish.

A bill for the better organization of the mayor's court of the city of Augusta, and for changing the name of the same.

A bill to repeal an act to regulate the town of Lexington, and all other acts amendatory of, or concerning the same, and

A bill to amend the 8th section of an act to dispose and distribute the lands acquired by the late treaty, passed the 9th day of June, 1825.

To all of which they desire the concurrence of the senate.

The house has concurred in the resolution of senate bringing on the election of general on this day at three o'clock, with an amendment, by adding "and the principal keeper and three inspectors of the penitentiary," to which they desire the agreement of senate.

On motion of Mr. Anderson.

The senate took up the preamble and resolution from the house of representatives, in the following words :

Whereas, the expression of opinion by the people of this State, in their legislative capacity, in favor of an individual who will unite their sentiments and meet their undivided support for the chief magistracy of the United States, is calculated to operate beneficially throughout the Union, and give to our fellow citizens in every section of it, evidence of the unanimity which prevails on a subject so important, and so deeply interesting to our common country

Be it therefore Resolved, That the people of this State look with confidence to the election of ANDREW JACKSON, to the high

and responsible office of President, as a hero, statesman, and patriot whose services in times of difficulty and danger were freely rendered to the country, whose moderation, purity of character, and acquiescence in the voice of the majority, fully evince his republicanism and his attachment to the laws and the constitution, whose energy of mind, soundness of judgment, and discretion in the senate and in the field, eminently qualify him for, and entitle him to an office in which the exercise of those qualities are required, and the display of those virtues constantly elicited.

Which was read.

And the substitute proposed by Mr. Clayton of Clarke, on Saturday last, being also read, Mr. Blair moved for the previous question.

And on the question "Shall the main question be now put?" it was determined in the affirmative.

The yeas and nays being required are—yeas 30, nays 25.

Those who voted in the affirmative are,

Messrs.

Alston	Foster	Spann
Anderson	Frazer	Sellers
Beall	Groves	Strawn
Blackstone	Hoxey	Tennille
Blair	Joice	Thomas
Broadnax	Lawson	White
Burney	Mitchell	Wellborn
Clayton of Pulaski	Powell of McIntosh	Wimberly
Coffee	Powell of Rabun	Wooten
Footman	Porter	Young

Those in the negative are,

Messrs.

Allen	Dyall	Smith
Baker of Liberty	Harman	Stokes
Baker of Warren	Harris	Tippins
Brown of Camden	Janes	Walker
Brown of Decatur	Jones	Witt
Brown of Monroe	Knight	Williams
Brockman	Ray	Wynn of Gwinnett
Choice	Scarborough	Wynn of Hall
Clayton of Clarke		

On the question to concur in the preamble and resolution of the house of representatives, it was determined in the affirmative.

The yeas and nays being required, are yeas 46, nays 11.

Those who voted in the affirmative are,

Messrs.

Alston	Frazer	Spann
Anderson	Groves	Sellers
Baker of Warren	Harris	Smith
Beall	Hendrick	Stokes

Blackstone	Hoxey	Strawn
Blair	Janes	Tennille
Broadnax	Jeice	Thomas
Brown of Camden	Jones	Tippins
Brown of Monroe	Knight	White
Brockman	Lawson	Wirt
Burney	Love	Wellborn
Choice	Mitchell	Wimberly
Clayton of Pulaski	Powell of Rabun	Wooten
Coffee	Porter	Wynn of Gwinnett
Footman	Scarborough	Young
Foster		

Those who voted in the negative are,
Messrs.

Allen	Dyall	Walker
Baker of Liberty	Harman	Williams
Brown of Decatur	Powell of McIntosh	Wynn of Hall
Clayton of Clark	Ray	

The following bills were read the second time and ordered for a third reading.

A bill to regulate the battalion and general musters of the county of Liberty.

A bill for the relief of Lewis Lynch of Putnam county.

A bill to regulate the trading of merchants and shop-keepers, and others, so far as respects the county of Liberty, and to punish those who may attempt to defeat the same.

A bill to alter and amend the ninth section of the second article of the constitution of the State of Georgia.

A bill to extend temporary relief to purchasers of the States interest in lots of land in the counties of Bibb, Houston, Crawford, Monroe, Pike, Fayette, Henry, De Kalb, Newton, and Butts.

A bill amendatory of an act to organise the county of Thomas and Lowndes, so far as respects the 11th section of said act, passed the 24th December, 1825.

A bill for the relief of Mark Donald Clarke of Bibb county.

And a bill to amend the several acts of the legislature now in force to prevent encroachment on the river of Savannah within the jurisdiction and limits of the city of Savannah, and to alter and amend the 4th section of an act passed the 12th December, 1815, entitled an act supplementary to an act, entitled an act to regulate the pilotage of vessels to and from the several ports of this State.

The following bills were read the second time and ordered for a committee of the whole.

A bill to amend the act of the 23d day of December, 1822, for the relief of debtors families.

A bill to create a new brigade in the 5th division of Georgia Militia.

A bill to raise by lottery the sum of 250,000 dollars to establish a turnpike road from Athens to Augusta.

A bill to alter and amend an act to alter and amend the road law of this State, passed December 19th 1818, so far as respects Franklin county.

And a bill to incorporate the Virgil Hall academy in the county of Rabun.

The bill to amend the penal code so far as relates to the punishment of voluntary manslaughter, was read the second time and ordered for a committee in June next.

The senate resolved itself into committee of the whole, on the bill to amend an act for the better protection of orphans and their estates, passed on the 18th day of February, 1799. Mr. Wynn of Gwinnett in the chair.

The president resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to authorise Henry Branham, &c. and to authorise Springer Gibson to build a mill dam across Flint river. Mr. Harmon in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

And on the question "shall this bill now pass?" it was determined in the negative.

The senate resolved itself into a committee of the whole on the bill to alter and amend the 1st section of an act, entitled an act, to alter and amend the 12th section of an act, to protect the estates of orphans, and to make permanent provision for the poor, assented to the 18th of December, 1816. Mr. Wellborn in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up, amended, and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole on the bill to alter and amend an act, entitled an act, to amend the road laws of this State, assented to the 19th December, 1818. Mr. Walker in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill for the protection of securities on appeals, on stay of execution on recognisance, bond, note, or other instrument. Mr. Wynn of Hall in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The following message was received from the house of representatives by Mr. Dawson, their clerk.

Mr. President :—

The house of representatives have passed the following bills :

A bill to raise by lottery a certain sum of money for the benefit of the poor of Burke county.

A bill to admit certain deeds to record, and admit the same or copies thereof in evidence.

A bill for the relief of Ethen Melton.

A bill to grant additional fees to the justices of the peace and constables in the county of Chatham, and for other purposes.

A bill pointing out the mode of compelling the attorney general and the solicitors general of this State, to pay over monies collected by them for the State.

A bill to dispose of the McIntosh reserves in the county of Butts.

A bill to prevent the testimony of Indians being received in courts of justice in this State.

On motion, the senate took up so much of the message of to-day, from the house of representatives, so far as to concur in the amendment of the house to the resolution of senate, setting apart this day at the hour of 3 o'clock, P. M. for the election of a brigadier general.

Ordered, That the remainder of the message do lie on the table.

A message was received from the Governor by Mr. Pierce his secretary, informing the senate that his excellency had approved and signed the resolution setting apart this day at the hour of 3 o'clock, P. M. for the election of a brigadier general, a principal keeper of the penitentiary, and three inspectors—And also, he has assented to and signed an act to repeal an act, laying off the state into seven congressional districts, passed 22d December, 1825.

Ordered, That the committee on enrollment do carry said act to the Secretary of State's office, and see the great seal affixed thereto.

The senate adjourned until 3 o'clock this evening.

3 o'clock, P. M.

Mr. Scarlett laid on the table the following resolution :

Resolved, That no new matter be received and acted on in the senate after to day.

The senate took up the several messages of to-day of the house of representatives, and the bills therein contained were severally read the first time.

A message was received from the house of representatives by Mr. Dawson their clerk, informing the senate, that the house of representatives were now ready to receive them in their chamber to proceed to the elections set apart for this day.

The president and members of Senate then repaired to the Representative Chamber, when both branches proceeded by joint ballot to the election of a brigadier general of the 2d brigade of the 7th division of Georgia militia—When on counting out the votes it appeared that Col. Harrison Jones was duly elected.

They then proceeded in like manner to the election of a principal keeper of the penitentiary, and on counting out the votes, it appeared that Peter J. Williams was duly elected.

They proceeded in like manner to the election of three inspectors for the penitentiary, and on counting out the votes, it appeared that John Bozeman, William Green, and Thomas H. Kenan, Esquires, were duly elected.

The senate returned to their chamber.

When Mr. Blair laid on the table the following resolution:

Whereas, Hamilton Fulton, the chief engineer of this State, has practised a gross fraud upon the board of public works, imposing upon them as his own production, a report which he has most servilely copied from a scientific work of the day—And whereas, this circumstance alone is a convincing evidence of his incompetency to discharge the high, important, and responsible duties of civil engineer.

Be it therefore Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met. That his excellency the Governor be recommended, and he is hereby recommended forthwith to discharge the said Hamilton Fulton from the service of this State.

The Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, December 19, 1826.

Mr. Williams presented the following protest—Which was read and ordered to be journalised :

The undersigned ask it as a privilege of the Senate to express their reasons, and to place them on the journal, for voting against the resolution recommending General Andrew Jackson for the Presidency.

First—They believe that resolution to be couched in terms of flattery and adulation, which freemen ought not to lavish upon any one. It speaks among other things, of the great moderation of General Jackson. Now, General Jackson is nothing but a man, and of course liable to all his frailties; and his best friends have always believed at his fault consisted in the want of a proper control of his feelings and passions. In this particular then, the undersigned could not support that resolution without, as they conceived, manifest inconsistency.

Secondly—They were in favor of the substitute offered by the author of Clark, and would cheerfully have voted for it, but were prevented from so doing by the call for the previous question, which precludes all debate and amendments. This substitute, as they honestly believe, contains the language and statements which should belong to the representatives of a free people—who are not accustomed to think and speak of men in an extravagant manner, nor to praise them more than they deserve. All men are alike subject to infirmities, and greatness does not exempt a man from the common lot of human nature; to ascribe perfection then to any one, is what the undersigned cannot think right—and they believed they were doing so in voting for the original resolution. The substitute is what they could have been glad to support.

(Signed)

RICHARD WINN,
JOHN WILLIAMS,
WM. N. HARMON.

Mr. Blair called up the resolution relative to the dismissal of Hamilton Fulton, chief engineer—Which was read and again ordered to be on the table.

Mr. Broadnax laid on the table the following resolution :

Whereas, It appears that there will be much litigation and expense in the state of Georgia, should the line between Alabama and Georgia be found East of the present line, run by the Georgia Commissioners, of which there may be a possibility of the fact—In order that no difficulty should occur,

Be it resolved, That his Excellency the Governor be requested, to prevent any lot of land from being placed in the wheel of the present contemplated land lottery, lying West of the New Treaty line, run by Col. Bagn, United States' surveyor.

The following bills were read the second time and ordered for third reading :

A bill to authorise the Trustees of the Sparta Academy, in the county of Hancock, to raise by lottery the sum of five thousand dollars, for the benefit of said academy.

A bill to establish an election district in the county of Warren.

A bill to define the mode of proving accounts due the penitentiary.

A bill for the division of the county of Jefferson into electoral districts.

A bill to establish and fix the name of the Female Academy, in the county of Elbert, and to incorporate the Trustees thereof.

A bill to authorise the commissioners appointed to lay off the town of Macon, to set apart a suitable piece of ground for the Methodist Episcopal Church.

A bill to alter and amend an act, passed the 22d day of Dec. 1822, to alter and amend an act, passed the 23d day of Dec. 1822, to distribute the bank dividends and other nett proceeds of the poor school fund, amongst the different counties of this State, so far as respect the county of Franklin.

A bill to amend the 8th section of an act to dispose of and distribute the Lands acquired by the late treaty, passed the 9th day of June, 1825.

A bill for the relief of Leroy Reynolds.

A bill for the relief of Henry T. Hall and Sarah his wife.

A bill to repeal an act to regulate the town of Lexington, and a number of other acts amendatory of or concerning the same.

A bill to compensate the commissioners appointed, and that may hereafter be appointed, to keep open the main channel of Broad river for the free passage of fish.

A bill to change the time of holding the inferior court in the county of Butts.

A bill to incorporate the Presbyterian, Episcopal, and Baptist Churches, in the Town of Macon, and county of Bibb.

A bill to preserve the timber in the vicinity of Macon.

A bill to authorise the churchwardens and vestrymen of St. Paul's Church, Augusta, to sell a part of the church lot, &c.

A bill pointing out the mode of compelling the attorney general and the solicitor's general of this state to pay over monies collected by them for the state.

A bill to raise by lottery a certain sum of money for the benefit of the poor of Burke county.

A bill to incorporate the Leonicera Academy, in Baldwin county.

A bill to appoint Trustees for the poor school fund of the county of Ware, and vest the fund of Ware County Academy in the same.

A bill to authorise certain commissioners therein named, to establish a lottery for the purpose of raising the sum of \$15,000, to be appropriated to the building of a Masonic Hall, in the town of Millidgeville.

A bill to authorise and empower the Trustees of the Columbia City Academy to sell certain real estate belonging to said institution.

The following bills were read the second time and ordered for a committee of the whole :

A bill to admit certain deeds to record, and to admit the same or copies thereof in evidence.

A bill for the better organization of the Mayor's Court, of the city of Augusta, and for changing of the name of the same.

A bill for the relief of Ethan Melton.

A bill to grant additional fees to the justices of the peace and constables, in the county of Chatham, and for other purposes.

A bill to dispose of the McIntosh Reserves, in the county of Burke.

And a bill to prevent the testimony of Indians being received in courts of justice.

The bill to alter and amend the 7th section of the 2d article of the constitution of the State of Georgia—Was read the third time.

And on the passage of the bill, the yeas and nays being called, was determined in the affirmative.

The yeas are 39, the nays are 11.

Those in the affirmative are,

Messrs.

Allen	Frazer	Tennille
Alston	Groves	Townes
Baker of Liberty	Hendrick	Trope
Baker of Warren	Hoxey	Walker
Broadnax	Janes	White
Brown of Monroe	Joice	White
Brockman	Love	Wells
Burney	Powell of McIntosh	Williams
Choice	Scarborough	Wimberly
Clayton of Clarke	Scariett	Wooten
Clayton of Pulaski	Sellers	Wynn of Guinness
Footman	Smith	Wynn of Hall
Foster	Stokes	Young

Those in the negative are,

Messrs.

Anderson	Harmon	Mitchell
Beall	Jones	Powell of Rabun
Brown of Hancock	Knight	Ray
Dyall	Lawson	

The following bills were read the third time, and passed.

The bill amendatory of an act to organise the county of Thomas and Lowndes, so far as respects the 11th section of said act, passed the 24th Dec. 1825.

The bill to amend the several acts of the Legislature now in force to prevent encroachment on the river of Savannah within the jurisdiction and limits of the city of Savannah, and to alter and amend 4th sec. of an act, passed the 12th Dec. 1825, entitled an act supplementary to an act entitled an act to regulate the pilotage of vessels and from the several ports of this State.

The bill for the relief of Mark Donald Clark, of Bibb county.

The bill for the relief of Lewis Lynch, of Putnam county.

The bill to extend temporary relief to purchasers of the state interest in lots of land in the counties of Bibb, Houston, Craw, Monroe, Pike, Fayette, Henry, De Kalb, Newton, and Butts.

The bill to regulate the trading of merchants, shop-keepers, and others, so far as respects the county of Liberty, and to punish those who may attempt to defeat the same.

The senate resolved itself into a committee of the whole on a bill to appropriate monies for the support of Government during political year 1827. Mr. Beall in the chair.

The president resumed the chair, and the bill was reported with amendment.

Ordered, That the report do lie on the table.

The senate resolved itself into a committee of the whole, on a bill to appropriate monies for the improvement of the navigation of certain rivers therein expressed. Mr. Powell, of McIntosh, in chair.

The president resumed the chair, and the bill was reported with amendment.

The senate took up the report.

And on motion to strike out the following paragraph of the report

"And be it further enacted, That the foregoing appropriations be paid in Darien money by the Treasurer of the State."

The yeas and nays being required—It was determined in the affirmative.

The Yeas are 27, nays 28.

Those who voted in the affirmative are,
Messrs.

Anderson	Frazer	Scarlet
Blaic	Harris	Sellers
Broadnax	Hendrick	Walker
Brown of Monroe	Jones	Wellborn
Brockman	Jones	Williams
Burney	Love	Wimberly
Dyall	Mitchell	Wooten
Footman	Powell of McIntosh	Wynn of Gwinnet
Foster	Powell of Rabun	Wynn of Hall

Those in the negative are,

Messrs.

	Groves	Smith
	Harmon	Stokes
of Liberty	Hoxey	Strawn
of Warren	Joice	Tennille
	Knight	Thomas
ackstone	Lawson	Tippins
	Porter	White
own of Clark	Ray	Witt
own of Pulaski	Spann	Young

The report being amended and agreed to—The bill was read the second time.

On the passage of the same, the yeas and nays being required, as determined in the affirmative. The yeas are 30, the nays 25.

Those who voted in the affirmative are,

Messrs.

	Hendrick	Smith
	Janes	Stokes
er of Liberty	Jones	Strawn
ney	Knight	Tennille
ton of Clark	Lawson	Thomas
ee	Love	Walker
aman	Powell of McIntosh	Williams
er	Porter	Wimberly
amon	Scarlet	Wynn of Gwinnett
orris	Sellers	Wynn of Hall

Those in the negative are,

Messrs.

erson	Clayton of Pulaski	Ray
er of Warren	Dyall	Spann
all	Foster	Tippins
ackstone	Groves	White
ir	Hoxey	Witt
oadnax	Joice	Wellborn
own of Monroe	Mitchell	Wooten
ockman	Powell of Rabun	Young
oice		

The following message was received from the house of representatives by Mr. Dawson, their clerk.

Mr. President,

The house of representatives have agreed to a resolution in relation to the people's expressing their opinions at the next general election on the subject of Congressional Districts—to which they desire concurrence.

They have passed the following bills, which originated in Senate to wit:—

A bill to give further time to purchasers of fractions, lots, and lands, at the late sales of the fractions, to pay for the lands.

A bill to rent certain reserves and improvements, in the late acquired territory—with amendments.

And they have passed a bill to alter and amend the several estray laws of this State.

The senate took up so much of the message of to-day, as to the first of the bill to alter and amend the several estray laws of this State.

Ordered, That the remainder of the message do lie on the table.

The senate adjourned until to-morrow morning 9 o'clock.

WEDNESDAY, December 20th, 1826.

Mr. Jones moved to reconsider so much of the journal of yesterday as relates to the passage of the bill to appropriate monies for improvement of the navigation of certain rivers therein expressed. It was determined in the negative.

The honorable senator from the county of Wayne, had leave absence after to-day for the remainder of the session.

Mr. Groves from the committee on enrollment, reported as enrolled and signed by the speaker of the house of representative

An act to give further time to purchasers of fractional lots, or lands, at the late sales of the fractions, to pay for their lands.

Which was presented to and signed by the president of senate.

Ordered, That the committee on enrollment do carry said act to his Excellency the Governor for his assent.

A message was received from the Governor, by Mr. Pierce, secretary, informing the senate, that his Excellency had approved and signed,

An act to give further time to purchasers of fractional lots, or lands, at the late sales of the fractions, to pay for their lands.

Ordered, That the committee on enrollment do carry said act to the Secretary of State's Office, and see the great seal of the State affixed thereto.

The following communication was also received from his excellency the Governor, by Mr. Pierce, his secretary:

EXECUTIVE DEPARTMENT, GEORGIA. }
Milledgeville, 19th December, 1826. }

The communication this moment received, from the Governor of Florida, confirmatory of the facts hitherto disclosed, indicates a constant and combination of Indian hostility wider spread than had been first supposed. The State ought not to depend in the first instance on other resources than her own for the defence of her own people—the Governor of Florida being an experienced and discreet officer, sufficient reliance can be placed on his information, to justify further measures of defence, and a force additional to that already ordered, to be very soon dispatched to the quarter most seriously threatened.

(Signed)

G. M. TROUP.

The senate took up and amended the report of the committee on petitions to read as follows:

The committee on Petitions, to whom was referred the petition of Nathan Grantham, a revolutionary soldier—Reported,

That they have had the same under consideration, and think that the petition is reasonable and ought to be granted—And therefore, recommend the following resolution:

Resolved, That the sum of one hundred dollars be placed in the appropriation law, subject to the order of Nathan Grantham, in consideration of his revolutionary services.

And on motion to agree thereto—The yeas and nays being recorded—It was determined in the affirmative.
The yeas are 40, the nays are 10.

Those who voted in the affirmative are,
Messrs.

Allen

Foster

Scarborough

Anton

Frazer

Spann

Benson

Groves

Smith

Bill

Hendrick

Stokes

Blackstone

Hoxey

Strawn

Bradnax

Joice

Tennille

Brown of Monroe

Jones

Thomas

Blackman

Knight

Tippins

Brice

Lawson

Walker

Byrton of Clark

Love

White

Byrton of Pulaski

Mitchell

Witt

Fee

Powell of McIntosh

Wynn of Gwinnet

Full

Ray

Wynn of Hall

Thoman

Those in the negative are,

Messrs.

Baker of Liberty	Harmon	Wimberly
Baker of Warren	Janes	Wooten
Blair	Powell of Rabun	Young
Barney		

The senate took up and agreed to the report of the joint committee on agriculture and internal improvement of the 12th instant, on the report of the commissioners of the southern rivers.

Mr. Blair presented the report of the commissioners to open a road from the Locust Stake, in Rabun county, to the Currahee mountain. Which was read and referred to a committee consisting of Messrs. Blair, Coffee, and Clayton of Clark.

Mr. Coffee presented the report of the inspectors of the Penitentiary, relative to the late revolt and escape of convicts—Which was read.

Mr. Coffee from the joint Penitentiary committee, to whom was referred a resolution directing them to enquire into the causes of the late revolt of the convicts—Reported,

That they have performed that duty, and now present the report of the inspectors of the Penitentiary on that subject, for the information of the senate—Upon which report your committee would recommend the following resolution:

Resolved, That the Inspectors adopt such regulations as they may think most expedient, to prevent such a frequent intercourse between visitors and convicts, and to guard particularly against furnishing them with spirits and the means of making their escape.

Resolved, That the conduct of the Principal Keeper, John Bulger and John Briggs, in suppressing the insurrection and preventing the escape of the convicts, is highly meritorious, displaying great firmness and personal courage, and deserving in an eminent degree the approbation of the legislature. And they recommend as a reward for the services and intrepid exertions of the said John Bulger and John Briggs, that a small appropriation be made in their favor.

On motion of Mr Blair to strike out so much of the second resolution as relates to the recommendation of making a small appropriation in favor of said Bulger and Briggs.

The yeas and nays being required—It was determined in the negative. The yeas are 20, nays 31.

Those in the affirmative are,

Messrs.

Alston	Foster	Powell of Rabun
Anderson	Frazier	Strawn
Blackstone	Mitchell	

Blair
Broadnax
Brown of Hancock
Barney

Hendrick
James
Joice
Jones

White
Woolen
Wynn of Gwinnett

Those who voted in the negative are,
Messrs.

Allen
Baker of Liberty
Baker of Warren
Beall
Brown of Monroe
Brockman
Choice
Clayton of Clark
Coffee
Foutman
Groves

Harman
Hoxey
Lawson
Love
Porter
Ray
Scarborough
Sellers
Smith
Stokes

Tennille
Thomas
Tippins
Walker
Witt
Wellborn
Williams
Wimberly
Wynn of Hall
Young

The report was agreed to.

On motion of Mr. Coffee,

Resolved, That the secretary of Senate be authorised to employ a sufficient number of engrossing clerks, to keep up the business of the senate, and that the pay for the same be placed in the presidents warrant.

The senate took up the resolution relative to certain elections—Which was amended to read as follows and agreed to :

Resolved, That both branches of the General Assembly will convene in the representative chamber on Thursday next, at 3 o'clock, P. M. for the purpose of electing four directors for the bank of the State of Georgia on the part of the State—Two directors on the part of the State for the Planters' Bank, and five directors on the part of the State for the Darien Bank.

Mr. Groves, from the committee on enrollment, reported as duly enrolled and signed by the speaker of the house of representatives, the following acts :

An act to raise a tax for the support of Government for the year 1827.

An act to establish additional electoral districts in the county of Columbia.

An act to authorise a lottery for the benefit of Wrightsborough Academy, in Columbia county.

An act to amend an act, entitled an act supplementary to an act, more effectually to enforce an act prescribing the mode of manumitting slaves in this state, and also to prevent the inveigling and illegal carrying out of the state persons of color.

An act to amend an act appointing vendue masters for the city of Augusta, passed the 21st of Dec. 1819.

An act to appropriate money to improve the navigation of the Savannah river.

Which were presented to and signed by the president of senate.

Ordered, That the committee on enrollment do carry said acts to his Excellency for his assent.

Mr. Walker, from the Committee on the State of the Republic, made the following Report:

The Committee on the State of the Republic to whom was referred that part of the Governor's communication and the accompanying documents, relative to the distressed condition of the friendly Indians, have had the same under their consideration, and ask leave to Report—

That by what is called a talk, on the part of the Indians, held on the 8th of March, 1817, with the General Government, the friendly Indians explicitly stated that, "when General Jackson treated with us he gave us to understand that the land which is now left us, was left to us friendly Indians—and we tell to you now, that the same who were then friendly are still your good friends."—And again they say, "our enemies have ruined our country, and the little piece of land which you have now left us, as your known friends, was left as a proof that we were friendly: and we were assured that no interruption would be permitted, but that we would be permitted to hold and keep this land as belonging to us always—we wish you to give us this assurance, for we wish it from you before we go away." In answer to this the General Government distinctly stated to the friendly Indians, through the Hon. George Graham, then acting Secretary of War, that "the land which was guaranteed to you by the treaty signed by Gen. Jackson and your Chiefs and Head Men, on the 9th of August, 1814, is your land: and your Father the President, who holds you and your nation fast by the hand, will take care that no part is taken from you, except by the free consent of your Chiefs and Head Men, given in council and for a valuable consideration."

Yet, these self same friendly Indians have been driven from those very guaranteed lands, and that too by the hostile Indians against whom they sought protection; because they had fought against them for Georgia and the General Government. And in their expulsion they have suffered the most trying hardships, such as it would be now unavailing to describe, but which seems to demand some reparation at the hands of the white people, their former friends, and to whom they have rendered some of the most useful and hazardous services. They have fled to the frontiers of Georgia, where they have found a refuge and have been sheltered, fed and clothed. For these supplies, and acts of kindness, on the part of our citizens, something is certainly due; and we hope and believe it is only necessary to satisfy the General Government, of their justice and the actual fact of having been ordered, to secure at once their immediate attention and discharge—And to this end your committee would recommend the following resolution

Resolved, That our senators and representatives in Congress be authorised to use their best exertions to procure from the General Government some relief for the friendly Indians, and especially satisfaction to our own citizens for the aid, relief and supplies afforded by them to said Indians in their flight from the nation during the unfortunate troubles which took place in the spring and summer of last year, and that said compensation be afforded as early as practicable; for the frontier settlers have put themselves to great trouble and expense to furnish the said aid and supplies, so much so as to become in turn, very considerable sufferers.

Which was read and agreed to.

Mr. Walker from the Committee on the State of the Republic also made the following Report—

The committee on the State of the Republic to whom was referred the Governor's communication of the 9th inst. with the accompanying letter from the Secretary of War, dated 27th of Nov. last, have had the same under consideration, and beg leave to report—

That so far as relates to the alteration of the boundary of Georgia, by what is called the new treaty, little need be said by your committee—inasmuch as the General Government in the letter of the Secretary of War, disavows any such intention, though your committee are of the opinion that said treaty is susceptible of such construction.

The Constitution of Georgia in defining the western boundary of the State, claims to the western bank of the Chattahoochee river, so far as that river is made the line—and the articles of cession of 1802, between Georgia and the General Government, recognise the same line. In the second article of what is termed the new treaty, and repeated in the supplemental article to the same, the middle of the Chattahoochee river is distinctly made the line between Georgia and the Creek Indians; and by the 13th article of said treaty, “the United States agree to guarantee to the Creeks all the country not herein ceded.” So that if by this guarantee the General Government mean to secure to the Indians the absolute right to these lands and one half of said river, during the pleasure of the parties (and the term mean nothing else,) your committee with great deference conceive, that such an indefinite assurance does amount to an alteration of boundary; and, if the Indians should never choose to cede any more lands to Georgia, a doctrine they have been allowed not only to indulge, but avow, the above conclusion will, as they think, be readily received by any capacity.

Your committee in placing its construction upon the other part of the Secretary's letter, think they perceive a determination on the part of the General Government to adhere to the new treaty; giving a promise, however, that as soon as our difficulties are settled with Alabama, an opportunity will be “embraced to carry into effect by negotiation, if practicable, the entire cession” of the Creek lands. And but for this difficulty with Alabama “in fixing the dividing line, it was the design of the President the moment the line

had been established, to open fresh negotiations with the Creeks for the purpose of procuring any fragment of land such line might have left of theirs within the limits of Georgia." Now, it must be obvious to every one, that the future acquisition of this "fragment" is made to depend upon a certain contingency, and that contingency is of the general government's own creation. It supposes that there is such a misunderstanding between Georgia and Alabama, as to present an insuperable obstacle to any further purchase of territory by "fresh negotiation." This is not the fact; for admitting there was doubt between the two states where the line should run, it cannot be a matter of any concern to the Indians. They can have no apprehensions now, whatever may have been their fears before, as to "the direction of the line," and the quantity of land they might lose.—The Secretary of War "thinks it highly probable that he should have succeeded in obtaining their relinquishment, the more especially as when, by the line run by the Georgia Commissioners, there is less than 200,000 acres of Indian lands."

Let the General Government then go up to the line run by the Georgia Commissioners, and leave the dispute between the two states to be adjusted as they think proper.—If the lands could have been obtained at the time the new treaty was made, provided the dividing line had been run, there can be no good reason why they should not now be obtained, since it is run; and as to any feeling which the Indians may have in the controversy between Georgia and Alabama they cannot be so much affected by its issue, as to make it a matter of any consequence to their interest how it terminates. Your committee must therefore believe, that the supposed difference between Georgia and Alabama presents no impediment to an immediate extinguishment of the Indian title to the Indian lands left out by what is called the new treaty; and if persisted in, so as to delay the acquisition of the disputed territory, it must be clear to every understanding that our embarrassments are far from being near their termination, especially if, as is intimated, the new treaty is to be considered valid. The Secretary of War does not admit that it was the intention of the last treaty to include all the territory in Georgia "he only thinks it highly probable" if the line had been run between the two states he might have obtained it. And speaking of the President's design to have opened fresh negotiations for the "purpose of procuring the fragment left out, and that he will hereafter, in a certain even, attempt to effect an entire cession," are to your committee very plain indications that the new treaty is to be regarded as the one by which Georgia must abide. If so, the State owes it to herself to enter her solemn protest against such a proceeding; and relying upon the validity of the old treaty, go on to occupy the lands acquired thereby, until prevented by a force either moral or physical, to which, by the laws and constitution of the government, it will be her duty to submit.—And this, as she trusts, will be shortly ascertained, by the appeal she has lately been compelled to make.

Which was read and agreed to.

The bill to alter and amend the estray laws of this State, was committed until June next.

The bill to compensate the commissioners appointed, and that may hereafter be appointed, to keep open the main channel of Broad river for the free passage of fish—Was laid on the table the remainder of the session.

The following bills were read the third time and passed.

A bill to preserve the timber in the vicinity of Macon.

A bill to incorporate the Presbyterian, Episcopal, and Baptist Churches, in the town of Macon, and county of Bibb.

A bill to appoint trustees for the poor school fund of the county of Ware, and to vest the fund of the Ware County Academy in the same.

A bill to incorporate the Leonicera academy, in Baldwin county.

A bill to authorise and empower the Trustees of the Columbia county academy to sell certain real estate belonging to said institution.

A bill to raise by lottery a certain sum of money for the benefit of the poor of Burke county.

A bill to repeal an act to regulate the town of Lexington, and all other acts amendatory of or concerning the same.

A bill to authorise the commissioners appointed to lay off the town of Macon, to set apart a suitable piece of ground for the Methodist Episcopal Church.

A bill for the relief of Leroy Reynolds.

A bill pointing out the mode of compelling the attorney-general and solicitor's general of this state, to pay over monies collected by them for the state.

A bill to amend the 8th section of an act, to dispose of and distribute the lands acquired by the late treaty, passed the 9th day of June, 1825.

A bill to change the time of holding the inferior court in the county of Butts.

A bill to authorise the churchwardens and vestrymen of St. Paul's Church, Augusta, to sell a part of the church lot, &c.

A bill for the relief of Henry T. Hall and Sarah his wife.

A bill to establish and fix the name of the Female Academy in the county of Elbert, and to incorporate the trustees thereof.

A bill to authorise certain commissioners therein named to establish a lottery for the purpose of raising the sum of \$ 15000, to be appropriated to the building of a Masonic Hall, in the town of Milledgeville.

A bill for the division of the county of Jefferson into electoral districts.

A bill to define the mode of proving the accounts due the Penitentiary.

A bill to establish an electoral district in the county of Warren.

A bill to authorise the trustees of Sparta Academy, in the county of Hancock, to raise by lottery the sum of \$ 5000 for the benefit of said academy.

A bill to alter and amend an act, passed the 22d Dec. 1823, to alter and amend an act passed 23d Dec. 1822, to distribute the bank dividends and other nett proceeds of the poor school fund, amongst

the different counties in this State, so far as respects the county of Franklin.

The senate resolved itself into a committee of the whole, on the bill to admit certain deeds to record, and to admit the same or copies thereof in evidence. Mr. Temmille in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to prevent the testimony of Indians being received in cases of justice. Mr. Coffee in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into committee of the whole on the bill to grant additional fees to the justices of the peace and constables, in the county of Chatham, and for other purposes. Mr. Walker in the chair.

The president resumed the chair, and the bill was reported with amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill for the relief of Ethan Melton. Mr. Witt in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The bill to alter and amend an act, passed the 24th Dec. 1825, establishing battalion district elections in the county of Burke.

Was ordered to lie on the table the balance of the session.

The senate resolved itself into a committee of the whole on the bill to amend act of the 23d day of Dec. 1822, for the relief of debtor's families. Mr. Blackstone in the chair.

The president resumed the chair, and the bill was reported without amendment.

Ordered, that the report do lie on the table.

The senate resolved itself into a committee of the whole on the bill to create a new brigade out of the 5th division of Georgia militia. Mr. Wellborn in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the bill, the yeas and nays being required it was determined in the affirmative.

The yeas are 27, the nays are 26.

Those who voted in the affirmative are,
Messrs.

Allen	Footman	Smith
Baker of Liberty	Harman	Stokes
Baker of Warren	Hoxey	Thomas
Brown of Hancock	Janes	Tippins
Brown of Monroe	Jones	Witt
Brockman	Lawson	Williams
Choice	Love	Wimberly
Clayton of Clark	Ray	Wynn of Gwinnett
Daniel	Scarborough	Wynn of Hall

Those in the negative are,
Messrs.

Alston	Foster	Spann
Anderson	Frazer	Sellers
Beall	Groves	Strawn
Blackstone	Hendrick	Tennille
Blair	Joice	White
Broadnax	Mitchell	Wellborn
Burney	Powell of McIntosh	Wooten
Clayton of Pulaski	Powell of Rabun	Young
Coffee	Porter	

Ordered, That the Secretary do carry said bill forthwith to the house of representatives.

The senate resolved itself into a committee of the whole on the bill to raise by lottery the sum of \$250,000 to establish a turnpike road from Athens to Augusta. Mr. Stokes in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the rept.

And the bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill to alter and amend an act to alter and amend the road laws of this state, passed Dec. 19th, 1818, so far as respects Franklin county. Mr. Brockman in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time and passed.

The senate resolved itself into a committee of the whole, on the bill for the better organization of the Mayor's Court, of the city of Augusta, and for changing the name of the same. Mr. Winn, of Hall, in the chair.

The president resumed the chair, and the bill was reported without amendment.

The senate took up and agreed to the report.

The bill was read the third time.

And on the passage of the bill, it was determined in the affirmative. The yeas are 36, nays 14.

Those in the affirmative are,
Messrs.

Allen	Daniel	Smith
Alston	Footman	Stokes
Anderson	Foster	Strawn
Baker of Liberty	Frazer	Thomas
Baker of Warren	Harmon	Tippins
Brown of Monroe	Janes	Walker
Brockman	Lawson	White
Burney	Love	Witt
Choice	Powell of McIntosh	Williams
Clayton of Clark	Porter	Winberry
Clyton of Putaski	Ray	Wynn of Gwinnett
Coffee	Scarborough	Wynn of Hall

Those in the negative are,
Messrs.

Beall	Hoxey	Tennille
Blackstone	Joice	Wellborn
Blair	Mitchell	Wooten
Groves	Powell of Rabun	Young
Hendrick	Sellers	

The senate resolved itself into a committee of the whole on the bill to dispose of the McIntosh Reserves, in the county of Butts. Mr. Strawn in the chair.

The president resumed the chair and the bill was reported without amendment.

Ordered, That the report do lie on the table.

Mr. Blair from the committee to whom was referred the report of the commissioners of Tugalo river—Reported,

That they have carefully examined the same, and take pleasure in saying the trust reposed in said commissioners has been faithfully discharged; and the improvement effected by them in the navigation of said river, has been very useful and accomplished in the most economical manner. They have exhibited a very fair statement of their expenditures, and shew they have a balance of \$67 32 on hand—out of which balance, and that alone, your committee recommend that said commissioners receive a reasonable compensation for their services, to such amount as his Excellency the Governor may think they deserve, upon a view of the facts relating to said services.

And your committee also recommend, that James R. Wvley, Jas. ~~son~~, and Benjamin F. Sloan, be authorised to examine the places where the said commissioners think two locks are necessary for the other improvement of said river, and report to the next legislature a practicability and expediency of erecting said locks, and the probable cost and expense of the same.

Which was read and agreed to.

The following message was received from the house of representatives by Mr. Dawson their clerk, informing the senate that the house representatives had passed the following bills which originated in senate, to wit:

A bill to amend an act to incorporate the bank of Darien, passed in Dec. 1818

A bill to alter and amend the road laws of Glynn county, passed in December, 1825

A bill for the relief of Alexander Ware.

A bill to repeal an act, passed 20th Dec. 1823, so far as respects the county of Early

A bill to add the Reserve at the Old Agency, on the east side of the river, to the county of Crawford.

A bill to sell and dispose of fraction number 241, in the 5th district of Monroe county, which was omitted to be sold at the last sale of the fractions.

A bill to amend and explain an act entitled an act to incorporate the Henry county academy and to appoint trustees for the same.

A bill to authorise certain commissioners to sell and dispose of the number and site for the new Court House, at Wiley Robson's, in Wayne county.

A bill to incorporate the Butts county academy, in the town of Jackson, and to authorise the inferior court of said county to select a suitable lot for said institution, and to convey fee simple titles to the same.

A bill to amend an act entitled an act to incorporate the De Kalb county academy.

A bill to authorise the justices of the inferior court of Lowndes county to lay off said county into militia districts

A bill to alter the name of Solomon Jones to that of Solomon Lowell.

A bill to incorporate the Roman Catholic Church, of the purification, at Locust Grove, in Warren county.

A bill to legitimate and change the name of James A. Jarrel to that of James A. Sweat.

A bill to incorporate the Baptist Church on Williams' creek, in Warren county

A bill assenting to and confirming a purchase made by the United States, of a piece of land situated near Augusta, Georgia, and for extending jurisdiction over the same.

A bill to incorporate the Brunswick Canal Company.

A bill to separate and divorce Marian Desha and George W. Desha her husband—and

A bill to divorce and separate John Ray and Mary Ray his wife.

The house has agreed to the resolution of the joint committee on the state of the republic, in relation to the late Indian disturbances—To which they desire concurrence.

And they have agreed to a resolution authorising the Governor to appoint an officer to take command of the detachment about to proceed to the protection of the southern frontier—To which they desire the immediate concurrence of the senate.

The senate took up the message and the resolution authorising the Governor to appoint an officer to take command of the detachment about to proceed to the protection of the frontier, being read

Mr. Coffee proposed to amend the same by adding the following proviso: "*Provided*, Such officer does now command a squadron or company of cavalry in this State."

And on the question to agree to said amendment—It was determined in the negative.

And the yeas and nays being required are—yeas 24, nays 26.

Those in the affirmative are,

Messrs.

Alston	Foster	Sellers
Anderson	Fraser	Strawn
Baile	Graves	Tennille
Blair	Hendrick	Walker
Broadbent	Mitchell	White
Burns	Powell of McIntosh	Wellborn
Clayton of Pulaski	Powell of Rabun	Wooten
Coffee	Porter	Young

Those in the negative are,

Messrs.

Allen	Harman	Stokes
Baker of Liberty	Hoxey	Thomas
Baker of Warren	Janes	Tippins
Brown of Hancock	Jones	Witt
Brown of Monroe	Lawson	Williams
Brockman	Love	Winberry
Choice	Ray	Wynn of Gwinnett
Clayton of Clark	Scarborough	Wynn of Hall
Footman	Smith	

The senate concurred in the original resolution.

The resolution of the joint committee on the state of the republic as contained in said message in relation to the late Indian disturbances on the frontier—being read,

On motion of Mr. Coffee, the same was amended, by adding the following additional resolution:

Resolved, That his Excellency the Governor be requested to dispatch without delay an express to the Little Prince of the Creek Nation, and demand of him that he will immediately apprehend and deliver to the authorities of Georgia, the Indians who have committed the recent depredations on the frontiers of this State.

Which together with the original resolution was agreed to.

Ordered, That the secretary carry the same forthwith to the house of representatives for their concurrence.

The report and resolution for the relief of Benjamin Cook, of Henry county, was read and concurred in.

The resolution in favor of James Wade, a free man of color, was read and concurred in.

The senate took up the report of the select committee of the house of representatives on the petition of Catharine Procter Limbert, formerly Catharine Procter White, daughter of Colonel John White—Which was read and disagreed to.

The senate took up the amendments made by the house of representatives to the bill of senate to rent certain reserves and improvements within the late acquired territory.

The following section added by the house of representatives was read—

And be it further enacted, That the said commissioners shall be inspection or otherwise ascertain as they shall be able the value of said fractions, and place a minimum price thereon, and no said fractions shall not be rented.

And on motion that the senate do disagree to said amendments—it was determined in the negative.

And the yeas and nays being required, are yeas 14, nays 24.

Those who voted in the affirmative are,

Messrs.

Alstorf	Hendrick	Scriven
Broadnax	Joice	Tenaille
Clayton of Pulaski	Love	Walker
Foster	Spann	Wellborn
Frazer	Sellers	

Those in the negative are

Messrs.

Allen	Footman	Stokes
Anderson	Groves	Thomas
Baker, of Warren	Hanson	Tippins
Beal	Hoxey	White
Blackstone	Janes	Witt
Brown of Hancock	Jones	Williams
Brown of Monroe	Lawson	Winberly
Brockman	Mitchell	Wooten
Burney	Powell of Rabun	Wyman of Gwinnett
Clark	Rogers	Wyman of Hall
Clarkson of Clark	Smith	Young
Coffey		

The senate agreed to all the amendments made by the house of representatives to said bill.

Ordered, That the secretary carry all matters agreed to by senate to the house of representatives the same day on which the same may be acted on, unless otherwise directed by senate.

Mr. Groves from the committee on enrollment reported as duly enrolled and signed by the speaker of the house of representatives, the following acts :

An act to amend an act, for the better protection and security of orphan's and their estates, passed on the 18th day of Feb. 1799.

An act to alter and amend an act entitled an act to amend the road laws of this state, passed to the 19th of Dec. 1818.

An act to define the liability of securities on appeal, on stay of execution, and for the protection of bail on recognizance, bond, note, or other contract.

An act to authorise certain commissioners to sell and dispose of the lumber and site for the new court house at Wiley Robson's, in Wayne county.

An act to amend and explain an act entitled an act to incorporate the Henry county academy, and to appoint trustees for the same—passed the 9th of December, 1824.

An act to repeal an act, passed the 20th of Dec. 1823, so far as respects the county of Early.

An act to alter and amend the road law of Glynn county, passed December the 24th, 1825.

An act to sell and dispose of Fraction No. 241, in the 5th district of Monroe county, which was omitted to be sold at the last sale of the fractions.

An act to incorporate the Brunswick Canal Company.

An act to incorporate the Baptist Church on Williams' creek, in Warren county.

An act to legitimatise and change the name of James A. Jarrel to that of James A. Saent.

An act to alter the name of Solomon Jones to that of Solomon Howell.

An act to authorise the justices of the inferior court of Lowndes county to lay off said county into militia districts.

An act to incorporate the Roman Catholic Church of the purification, of Locust Grove, in Warren county.

An act to amend an act entitled an act to incorporate the De Kalb county academy, approved 20th Dec. 1825

An act to amend an act to incorporate the bank of Darien, passed 15th December, 1818.

Which were presented to and signed by the president of senate.

Ordered, That the committee on enrollment do carry said acts to his excellency the Governor for his assent.

The Senate adjourned until to-morrow morning 9 o'clock.

THURSDAY, December 21st. 1826.

Mr. Blair called up the resolution of the 19th inst recommending the Governor forthwith to dismiss the chief engineer from the service of the State.

The substitute offered by Mr. Brown, of Monroe, in the following words :

Whereas, it is the opinion of this legislature, that it would be improper at this time to enter on the business of digging canals and making rail roads in this State. And believing that a chief engineer is unnecessary in removing obstructions in our rivers and water courses.

Be it therefore resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby resolved, That his excellency the Governor be recommended, and he is hereby requested to inform the chief engineer, that his services for the future are not required. Was read.

When on motion of Mr. Walker to lay it on the table the remainder of the session both the original and substitute, it was determined in the affirmative.

The senate took up and concurred in the resolution of the house of representatives, in favor of the administrators of Elisha Wood, deceased.

The senate took up the report and resolution of the committee on the petition of Jonathan Elliott of the 8th inst. relative to the publication of the debates on the federal constitution in the state conventions—and agreed thereto by filling the blank in said resolution with the number 10.

On motion of Mr. Walker,

Resolved, That the committee on the state of the republic having discharged the business referred to their consideration, be discharged from any further duties.

The senate took up the report of the committee on the bill to dispose of the McIntosh reserves in the county of Butts.

When Mr. Brockman offered as a substitute, a bill to dispose of the reserve at the Indian Spring.

On motion to lay the original and substitute on the table the balance of the session.

The yeas and nays being required, it was determined in the affirmative.

The yeas are 29, the nays are 16.

Those in the affirmative are,

Yeas.		
Allen	Hosier	Smith
Anderson	Groves	Snipes
Baker of Liberty	Harman	Thomas
Bassett	Jones	Toppins
Bell	Jones	Wier
Bell	Lewis	Williams
Barker	Love	Wimmerly
Camp	McIntosh	Wynn of Gwinnett
Clark of Clark	Rice	Wynn of Hall
Edwards	Scarborough	

Those in the negative are,

Yeas.		
Allen	Hendrick	Strawn
Bell	Hixey	Tennille
Blair	Jones	Walker
Baker of Georgia	Powell of Rabun	Welborn
Camp of Folsom	Porter	Wooten
Prater		

The senate took up and agreed to the report of the committee of the senate, on the bill, to amend the act of the 22d day of December, 1820, for the relief of debtors' families.

The bill was read the third time and passed.

Mr. Slaz from the committee to whom was referred the report of the committee appointed to open a road from the Locust Stake to the Carrabee Mountain—Reported,

That said commissioners represent, that they can effect the object intended by the legislation in opening said road, upon much more economical terms, and to greater advantage to the public, by changing its direction from that prescribed in the resolution of the last legislature.

Therefore be it resolved, That said commissioners be authorised to open said road in the nearest and best direction to the Franklin Line, without regard to the directions heretofore given, and that they exercise their own discretion in making said road, so as to accomplish the object intended in the legislature.

Which was read and agreed to.

The senate took up and agreed to the report of the joint committee on finance, to whom was committed the duty of examining the office of the comptroller general, of the 9th inst. by striking out five hundred dollars to employ an additional clerk in his office, and inserting three hundred.

On motion of Mr. Breckman,

Resolved, That the Governor be requested to direct the comptroller general to proceed to have collected the sum of ten thousand dollars loaned to the United States company under the act of the 2d of December, 1821, so soon as the provisions of said act will authorize

the collection of the same, and his excellency the Governor is hereby authorised to take and use all legal and necessary measures to carry into effect this resolution.

The senate took up the resolution submitted by Mr. Broadnax on the 19th inst requesting the Governor to prevent any lots of land from being placed in the wheel of the present contemplated land lottery lying west of the new treaty line, as run by Col. Bird the United States' surveyor—and

On motion of Mr. Clayton of Clark,

To lay the same on the table the balance of the session, it was determined in the affirmative.

The yeas and nays being required, are yeas 38, nays 10.

Those in the affirmative are,

Messrs.

Allen	Footman	Smith
Anderson	Groves	Stokes
Baker of Liberty	Harman	Tennille
Baker of Warren	Hendrick	Thomas
Beall	Hoxey	Tippins
Blair	Janes	Wicker
Brown of Monroe	Jones	White
Brockman	Lawson	Witt
Burney	Love	Williams
Choice	Mitchell	Wimberly
Clayton of Clarke	Powell of Rabun	Wynn of Gwinnett
Coffee	Ray	Wynn of Hall
Daniel	Scarborough	

Those in the negative are,

Messrs.

Alston	Frazer	Spana
Blackstrae	Powell of McIntosh	Strawn
Broadnax	Porter	Wellborn
Clayton of Pulaski		

The following message was brought from his Excellency the Governor, by his secretary, Mr. Perce, informing the senate that his Excellency the Governor had assented to and signed the following acts:—

An act to authorise certain commissioners to sell and dispose of the lumber and site for the new court-house at Wiley Robson's in Wayne county.

An act to amend and explain an act, entitled an act to incorporate the Henry county academy, and to appoint trustees for the same, passed the 9th of December, 1824.

An act to sell and dispose of fraction No. 241 in the 5th district of Monroe county, which was omitted to be sold at the last sale of the fractions.

An act to repeal an act passed the 20th December, 1823 so far as respects the county of Early.

An act to incorporate the Baptist church on Williams creek, in Warren county.

An act to legitimate and change the name of James A. Jarrel to that of James A. Swear.

An act to alter and amend the road law of Glynn county, passed December 24th. 1825.

An act to incorporate the Roman Catholic church of the Parish at Locust Grove in Warren county.

An act to amend an act, entitled an act, to incorporate the De Kalb county academy approved 20th December, 1825.

An act to authorise the justices of the inferior court of Lowndes county, to lay off said county into militia districts.

An act to alter the name of Solomon Jones to that of Solomon Howell.

An act to incorporate the Brunswick canal company.

An act to amend an act to incorporate the bank of Darien, passed 15th December, 1813.

Ordered, that the committee on enrollment do carry said acts to the Secretary of State's office, and see the great seal of State affixed thereto.

The senate took up the report of the committee of the whole on the bill to appropriate moneys for the political year, 1827.

Which was read by paragraphs.

On motion of Mr. Williams to strike out \$1200 to the comptroller general for the purpose of employing two clerks in his office, it was determined in the affirmative.

The yeas and nays being required, are yeas 27, nays 23.

Those in the affirmative are,

Messrs.

Allen	Groves	Scarborough
Alston	Harman	Stokes
Anderson	Hendrick	Tippins
Baker of Warren	Hoxey	Witt
Beall	Janes	Williams
Brockman	Jones	Wimberly
Choice	Lawson	Wooten
Clayton of Clarke	Love	Wynn of Gwinnett
Footman	Ray	Wynn of Hall

Those in the negative are,

Messrs.

Baker of Liberty	Daniel	Porter
Blackstone	Foster	Spann
Blair	Frazer	Smith
Broadnax	Joice	Strawn
Brown of Monroe	Matthews	Tennille
Burney	Mitchell	Thomas
Clayton of Pulaski	Powell of McIntosh	Walker
Coffee	Powell of Rabun	

The senate took up the report of the committee of the whole on the bill appropriate moneys for the political year 1827, which was read by paragraphs.

On motion of Mr Williams to strike out 1200 dollars to the comptroller general for the purpose of employing two clerks in his office, it was determined in the affirmative. The yeas and nays being required, are yeas 27, nays 23.

Those who voted in the affirmative are, Messrs.

Allen, Alston, Anderson, Baker of Warren, Beall, Brockman, Choice, Clayton of Clarke, Footman, Groves, Harman, Hendrick, Hoxey, Jones, Jones, Lawson, Love, Ray, Scarborough, Stokes, Tappins, Witt, Williams, Wimberly, Wooten, Wynn of Gwinnett, and Wynn of Hall.

Those in the negative are, Messrs.

Baker of Liberty, Blackstone, Blair, Broadnax, Brown of Monroe, Burney, Clayton of Pulaski, Coffee, Daniel, Foster, Frazer, Joice, Matthews, Mitchell, Powell of McIntosh, Powell of Rabun, Porter, Spann, Smith, Strawn, Tennille, Thomas, Walker.

On motion to fill the blank with the sum of eight hundred dollars for clerk hire, it was determined in the affirmative.

And the yeas and nays being required, are yeas 27, nays 24.

Those in the affirmative are Messrs.

Allen	Daniel	Powell of Rabun
Baker of Liberty	Foster	Porter
Blackstone	Frazer	Spann
Blair	Groves	Strawn
Broadnax	Joice	Tennille
Brown of Monroe	Lawson	Thomas
Burney	Matthews	Walker
Clayton of Pulaski	Mitchell	Wellborn
Coffee	Powell of McIntosh	Wooten

Those in the negative are Messrs.

Allen	Harman	Smith
Anderson	Hendrick	Stokes
Baker of Warren	Hoxey	Tippins
Beall	Jones	Witt
Brockman	Jones	Williams
Choice	Love	Wimberly
Clayton of Clarke	Ray	Wynn of Gwinnett
Footman	Scarborough	Wynn of Hall

The following additional paragraph was proposed, viz :

"Fifty dollars to John Bulger assistant keeper, for the activity and bravery displayed by him in quelling the insurrection in the penitentiary on the 16th inst. and the sum of fifty dollars to Jeremiah Briggs of the penitentiary guard for similar services.

And on the question to agree thereto, it being a donation, it was determined in the negative.

The yeas and nays being required are—yeas 31, nays 19.

Those in the affirmative, are Messrs.

Allen	Groves	Stokes
Alston	Harman	Tennille
Baker of Liberty	Hoxey	Thomas
Baker of Warren	Jones	Tippins

Beall
Brown of Monroe
Brockman
Clayton of Clarke
Coffee
Daniel
Footman

Lawson
Love
Matthews
Porter
Ray
Scarborough

Walker
Witt
Wellborn
Williams
Wimberly
Wynn of Hall

Those in the negative are, Messrs.

Anderson
Blackstone
Blair
Broadnax
Burney
Choice
Clayton of Pulaski

Foster
Frazer
Hendrick
Jones
Mitchell
Powell of Rabun

Spann
Smith
Strawn
White
Wooten
Wynn of Gwinnett

The following additional section was proposed by Mr. Porter.

And be it further enacted, That the sum of eight hundred dollars in Datten money, be and it is hereby appropriated for the building of bridges across four creeks in the county of Baker, viz : Pechitla; Ichewenobeway, Chichesehatchee, and Okiukee, and that his excellency the Governor be authorised to draw on the treasury for the above sum in favor of the justices of the Interior court of said county upon their giving bond to his excellency the Governor, in the sum of two thousand dollars, conditioned for the faithful application of said appropriation.

And on the question to agree thereto, it was determined in the affirmative.

The yeas and nays being required, are yeas 31, nays 19.

Those in the affirmative are Messrs.

Baker of Liberty
Beall
Blackstone
Blair
Broadnax
Clayton of Clarke
Clayton of Pulaski
Coffee
Daniel
Foster
Frazer

Groves
Hendrick
Joice
Love
Matthews
Mitchell
Powell of McIntosh
Powell of Rabun
Porter
Scarborough

Spann
Smith
Strawn
Tennille
Thomas
Tippins
Walker
White
Wellborn
Wooten

Those in the negative are Messrs.

Allen
Anderson
Baker of Warren
Brown of Monroe
Brockman
Burney
Choice

Footman
Hoxey
Janes
Jones
Lawson
Ray

Stokes
Witt
Williams
Wimberly
Wynn of Gwinnett
Wynn of Hall

Mr. Harman proposed the following enacting clause :

And be it further enacted, That the sum of two hundred dollars

be paid to Hugh Wilson a revolutionary soldier, in lieu of his bounty warrant.

And on the question to agree thereto, it was determined in the negative.

The yeas and nays being required, are yeas 19, nays 29.

Those in the affirmative are,

Messrs.

Broadnax	Foster	Smith
Brown of Monroe	Frazer	Tennille
Brockman	Harman	Tippins
Clayton of Pulaski	Jones	Walker
Coffee	Matthews	Wellborn
Daniel	Porter	Williams
Footman	Scarborough	

Those in the negative are,

Messrs.

Allen	Hoxey	Stokes
Anderson	Janes	Strawn
Baker of Liberty	Lawson	Thomas
Baker of Warren	Love	White
Beall	Mitchell	Witt
Blackstone	Powell of McIntosh	Wimberly
Blair	Powell of Rabun	Wooten
Burney	Ray	Wynn of Gwinnett
Clayton of Clarke	Spaun	Wynn of Hall
Hendrick		

Mr. Coffee proposed the following additional section:

And be it further enacted, That the sum of one hundred dollars be, and the same is hereby appropriated for the use of Nathan Grant-ham in consideration of his revolutionary services.

And on the question to agree thereto, it was determined in the affirmative.

The yeas and nays being required are—yeas 35, nays 14.

Those in the affirmative are,

Messrs.

Allen	Frazer	Scarborough
Alston	Groves	Spann
Baker of Warren	Harman	Smith
Blackstone	Hendrick	Strawn
Broadnax	Hoxey	Tennille
Brown of Monroe	Janes	Thomas
Brockman	Jones	Walker
Clayton of Clarke	Lawson	White
Clayton of Pulaski	Love	Witt
Coffee	Matthews	Wellborn
Daniel	Powell of McIntosh	Williams
Foster	Porter	

Those in the negative, are Messrs.

Anderson	Mitchell	Wimberly
Baker of Liberty	Powell of Rabun	Wooten
Beall	Ray	Wynn of Gwinnett
Blair	Stokes	Wynn of Hall
Burney	Tippins	

The report being agreed to as amended, the bill was read the third time and passed.

The following message was brought from the house of representatives by Mr. Dawson their clerk, informing the senate that the house of representatives had agreed to a resolution, requiring the treasurer and comptroller during the first week of the next session of the legislature, to make each a full statement of the condition of the finances and debts of the State.

To a resolution requiring the Governor to convene a board of the general officers of this State, to consist of not less than seven, nor more than thirteen, to form and report a plan for the better organization of the militia.

To a resolution requesting the Governor to have examined the 10th district of Irwin county, and to ascertain whether it has been correctly surveyed.

To a resolution relative to an amendment to the constitution of the United States.

To a resolution in favor of Isaiah Faver.

To a resolution in favor of Fleming F. Adrian.

To a resolution prohibiting persons going within the walls of the penitentiary without the permission of the principal Keeper.

To a resolution in favor of the administrators of Thomas Dyer.

To all which they desire concurrence.

That the house of representatives had agreed to the amendments of senate to the bill of the house, to establish free schools in the county of Gwinnett.

To the amendment of senate to the bill, to alter and amend an act entitled an act to amend the 14th section of an act to protect the estates of orphans, and to make permanent provision for the poor, passed 24th November, 1818, so far as respects the county of Burke.

To the amendments to the bill to alter and amend the first section of an act, entitled an act, to alter and amend the 12th section of an act to protect the estates of orphans, and to make permanent provision for the poor, assented to the 18th December, 1816.

To the amendments to the bill to amend an act, entitled an act, to enable feme coverts to convey their estates, and for confirming and making valid all conveyances and acknowledgments heretofore made by feme coverts, passed April 24 h. 1760.

To the amendments to the bill to alter the time of holding the Superior courts in the southern circuit.

To some of the amendments of Senate they have agreed, and to others they have disagreed, as made by senate to the bill of the house to provide for the improvement of the navigation of certain water courses therein expressed.

To those amendments to which they have disagreed, they respectfully request the senate to receive.

That they had passed the following bills which originated in senate, to wit :

A bill to regulate the intercourse between the banks of this State and other institutions and bankers.

A bill to separate and divorce Susannah Melson and Elijah Melson from her husband.

A bill to incorporate the Savannah, Ogeechee, and Altamaha canal company.

A bill to extend the charter of the bank of Augusta, and to authorise an increase of the capital.

A bill to amend the 6th section of an act, entitled an act, to alter and amend an act, passed 23d December, 1822, to distribute the bank dividends and other nett proceeds of the poor school fund amongst the different academies in the counties of this State, passed 2d December, 1823, and also to amend an act to distribute certain funds for the use of the several academies in this State, passed 23d December, 1822.

A bill to repeal an act entitled an act, to exempt from road duty on certain conditions, all male slaves on the island of St. Catherine's.

A bill to incorporate the Unitarian society in Augusta, Georgia.

A bill to incorporate Lake academy.

A bill to authorise the present tax collector of Baker county to collect the tax due from the citizens of said county for the year 1825;

A bill to compel the next receiver of tax returns for taxable property for Lowndes county, to receive the tax returns of citizens of said county whose taxes are due to the State prior to the year 1825, and to make it the duty of the next collector to collect said tax.

A bill to incorporate Franklin academy in Upson county, and appoint trustees for the same.

A bill to incorporate Constitutional Hall academy in Jasper county.

A bill to make permanent the site of the public buildings in the county of Thomas, and to name the same, and to authorise the justices of the Inferior court to lay off said county into militia districts, and to establish the time of holding the Inferior courts for said county.

A bill to incorporate Crawfordville academy, and to appoint trustees for the same.

A bill to incorporate the town of Crawfordville in the county of Caliaferro.

A bill to amend the several acts incorporating the Town of St. Mary's.

A bill to incorporate Arthur Academy in Oglethorpe county.

A bill for the relief of Sally Woodson, Matthew and Polly Ann Higginbotham, children of Benjamin Higginbotham, &c.

A bill to appoint trustees for the poor school fund for the county of Houston, and to vest the proceeds of the Houston academy in the same.

A bill to add that part of the funds heretofore set apart for the support of county academies to the poor school fund, so far as respects the county of Rabun.

A bill for the relief of Joseph Durrence, of Tatnall county.

A bill to appoint trustees for the poor school fund in the county of Tatnall, and vest the funds of the Tatnall academy in the same.

A bill to incorporate the Washington academy, in the county of Bibb.

A bill to add part of the county of Washington to the county of Baldwin.

A bill to authorise and direct a further sale of lots in the town of Macon, and to enlarge the commons of the same.

A bill to add a part of the county of Lowndes to the county of Thomas.

A bill to consolidate the academical and poor school fund set apart for Decatur county, and the same become a poor school fund

A bill to repeal an act entitled an act, passed the 9th of December, 1824, for laying off the counties of Emanuel and Tatnall into election districts, so far as respects the county of Tatnall.

A bill to change the name of Levi Satterwhite to that of Leroy Driver, and to legitimatise the same.

A bill to lay off and add a part of the county of Dooly to the county of Pulaski.

A bill to define the line between the counties of Newton and De Kalb and to add a part of the former to the latter.

A bill to make permanent the site of Jackson, in the county of Butts and to incorporate the same.

A bill to vest in Jenny Poindexter and her legal representatives, a distributive share of the estate of her deceased father Bartley McCrary—and

A bill to legalise the solemnization of the marriage contract entered into between Buckner Bass and Ann Dozier, and to legitimatise Jane Elizabeth their daughter.

The senate took up so much of the message as relates to the bill of the house of representatives, to provide for the improvement of the navigation of certain water courses therein expressed.

And the amendments made by the senate to said bill, to which the house of representative have disa reed, were read,

And on motion that the Senate do adhere to their amendments to said bill it was determined in the affirmative.

The yeas and nays being required are—yeas 30, nays 24.

Those in the affirmative are,

Messrs.

Alston	Groves	Smith
Anderson	Harman	Stiles
Baker of Liberty	Hoxey	Stewart
Baker of Warren	Joice	Tennille
Brown of Monroe	Lawson	Thomas
Clayton of Clark	Matthews	Tippins
Clayton of Pulaski	Mitchell	Walker
Coffee	Powell of McIntosh	White
Daniel	Porter	Witt
Footman	Scarborough	Wimberly

Those in the negative are,

Messrs.

Allen	Foster	Ray
Beall	Frazer	Spann

Blair	Hendrick	Wellborn
Broadnax	Janes	Williams
Brockmire	Jones	Wooten
Burney	Love	Wynn of Gwinnett
Choice	Powell of Rabun	Wynn of Hall

A message was received from the house of representatives, by Mr. Dawson, their clerk, informing the senate that the house of representatives had concurred in the resolution to bring on certain elections this day at three o'clock—with amendments.

The senate took the message and concurred in the amendments made by the house of representatives to the resolution therein contained.

Mr. Groves from the committee on enrollment, reported as duly enrolled and signed by the speaker of the house of representatives, the following acts :

An act to appoint trustees for the poor school fund in the county of Ware, and vest the fund of Ware county academy in the same.

An act to authorise the trustees of Sparta Academy in the county of Hancock, to raise by lottery the sum of \$5000 for the benefit of said academy.

An act for the better organization of the Mayor's Court, of the city of Augusta, and for changing the name of the same.

An act to alter and amend the 1st section of an act entitled an act to alter and amend the 12th section of an act, to protect the estates of orphans, and to make permanent provision for the poor—assented to the 18th Dec. 1816.

An act to repeal an act, entitled an act to regulate the town of Lexington, and all other acts amendatory of and concerning the same.

An act to authorise certain commissioners therein named to establish a lottery for the purpose of raising the sum of \$15000 to be appropriated to the building of a Masonic Hall, in Milledgeville.

An act to establish and fix the name of the female academy in the county of Elbert, and to incorporate the trustees thereof.

An act to alter and amend an act to alter and amend the road law of this state, passed Dec. 19th 1818, so far as respects Franklin, Hall, Lincoln, Columbia, and Wilkes.

An act to alter and amend an act, passed the 22d day of December 1823, to alter and amend an act, passed the 23d day of Dec. 1822, to distribute the bank dividends and other nett proceeds of the poor school fund, amongst the different counties in this state, so far as relates to the county of Franklin.

An act to alter and amend an act entitled an act to amend the 14th section of an act to protect the estate of orphans, and to make permanent provision for the poor, passed the 24th day of Nov. 1818, so far as respects the counties of Burke and Elbert.

An act to change the time of holding the Inferior Court in the county of Butts.

An act for the division of the county of Jefferson into electoral districts.

An act to incorporate Leonicera academy, in Baldwin county.

An act to authorise a lottery for the benefit of the poor in the county of Burke.

An act to authorise the commissioners appointed to lay off the town of Macon, to lay off and set apart a suitable piece of ground in lieu of the one set apart by the said commissioners for the use of the Methodist Episcopal Church, in the town of Macon.

An act pointing out the mode of compelling the attorney general and the solicitor's general of this state to pay over monies collected by them for the state.

An act to define the mode of proving accounts due the Penitentiary.

An act to authorise certain commissioners therein named, to establish a lottery for the purpose of raising the sum of \$250,000 to be appropriated to the construction of a turnpike road from the village of Athens to the city of Augusta.

An act to create a new brigade in the 5th division of Georgia Militia, and to attach the same to the 5th division.

An act to incorporate the Presbyterian, Episcopalian, and Baptist Churches, in the town of Macon, and county of Bibb.

An act to prevent the testimony of Indians being received in courts of justice.

An act to alter and fix the times of holding the superior courts in a part of the southern circuit, and to alter the time of holding the superior courts in the Flint circuit.

An act to authorise and empower the trustees or commissioners of Columbia county academy to sell certain real estate belonging to said institution.

An act for the relief of Levi Reynolds.

An act to admit certain deeds to record, and to authorise the same or copies thereof to be read in evidence—and also the copies of certain other deeds.

An act for the relief of Ethen Melton.

An act to alter and amend the 7th section of the 2d article of the Constitution of the State of Georgia.

An act to repeal an act entitled an act to exempt from road duty, on certain conditions, all male slaves on the Islands of St. Catherine.

An act for the relief of Henry T. Hall and Sarah his wife.

An act to divorce and separate John Ray and Mary Ray his wife.

An act to incorporate Constitutional Hall academy, in Jasper co.

An act to regulate the trading of merchants, shop keepers, and others, so far as regards the county of Liberty, and to punish those who may attempt to defeat the same.

An act to extend temporary relief to purchasers of the state's interest in lots of land in the counties of Bibb, Houston, Crawford, Monroe, Pike, Fayette, Henry, De Kalb, Newton and Butts.

An act to amend an act entitled an act to enable feme coverts to convey their estates, and for confirming and making valid all conveyances and acknowledgments heretofore made by feme coverts, passed April 25th 1760, so far as the same relates to feme coverts conveying their dower.

An act for the relief of Joseph Durrence, of Fannin county.

An act to incorporate the Franklin academy, in Upson county, and to appoint trustees for the same.

An act amendatory of an act to organise the counties of Thomas and Lowndes, passed the 24th of Dec. 1825, so far as respects the 11th section of said act.

An act to authorise the churchwardens and vestrymen of the Episcopal Church, in Augusta, called St. Paul's Church, to sell a part of the lot conveyed to the Protestant Episcopal Church, of the city of Augusta, by act of the 19th Dec. 1818.

An act to regulate the intercourse between the banks of this State, and other institutions and brokers.

An act to establish an election district in the county of Warren.

An act to amend the several acts of the Legislature now in force, to prevent encroachments on the river Savannah, within the jurisdiction and limits of the city of Savannah, and to alter and amend the 4th section of an act, passed the 12th of Dec. 1815 entitled an act supplementary to an act entitled an act to regulate the pilotage of vessels to and from the several ports of the state.

An act to regulate the battalion and general musters of the county of Liberty.

An act for the relief of Lewis Lynch of Putnam county.

An act to add the Reserve at the Old Agency, on the east side of Flint river, to the county of Crawford.

An act to incorporate the Lake academy, in the county of Bibb.

An act to make permanent the site of the public buildings at Thomasville, in the county of Thomas, and to name said village, and to authorise the justices of the inferior court to lay off militia districts and to establish the time of holding the inferior courts of said county.

An act to preserve the timber in the vicinity of Macon, for the preservation of the inhabitants thereof.

An act to incorporate the Unitarian Society in Augusta, Georgia.

An act for the relief of Mark Donald Clark, of Bibb county.

An act to establish free schools in the county of Gwinnett.

An act to separate and divorce Marian Desha and George W. Desha her husband.

An act to authorise and require the present Tax Collector of the county of Baker to collect the tax due from the citizens of said county for the year 1825.

An act to incorporate Arthur academy, in Oglethorpe county.

An act for the relief of Alexander Ware.

An act to extend the charter of the bank of Augusta, and to authorise an increase of the capital—and

An act to amend the 6th section of an act entitled an act to alter and amend an act, passed the 23d day of Dec. 1822, to distribute the bank dividends and other net proceeds of the poor school fund, amongst the different counties in this State, passed 22d of Dec. 1823, and also to amend the act to distribute certain funds for the use of the several academies in this state, passed 23d of Dec. 1822.

Which were presented to and signed by the president of Senate.

Ordered That the committee on enrollment do carry said acts to the Governor for his assent.

On motion, the honorable senators from the counties of Bryan, Jackson and Hall, had leave of absence until to day for the remainder of the session.

On motion of Mr. Wellborn,

Resolved, That Howell Cobb be, and he is authorised and appointed, to go out at public outcry all the Indian Reserves belonging to the State of Georgia, Houston county, on the terms and under the same restrictions provided for in a resolution passed at the annual session of 1853: *Provided*, That the C. J. Howell Cobb do execute to his Excellency the Governor a bond with good and sufficient security for the faithful performance of his duty; and moreover, he the said Cobb, shall advertise the renting of the said Reserves at five of the most public places in the county aforesaid, thirty days previous to renting—and that he continue renting the same yearly until otherwise disposed of.

The senate adjourned until 3 o'clock, P. M. this day.

3 o'clock, P. M;

The Senate met pursuant to adjournment.

The following message was brought from the Governor, by Mr. Pierce, his secretary, informing the senate, that his Excellency had approved and signed,

A resolution to bring on certain elections this day at 3 o'clock.

Mr. Dawson, the clerk of the house of representatives informed the senate, that the house of representatives were in waiting to receive them in the representative chamber, for the purpose of proceeding by joint ballot to the elections set apart for this day.

And he withdrew.

The president and members of Senate then repaired to the Representative Chamber, when both branches of the General Assembly proceeded by joint ballot to the election of four directors on the part of the State, in the State Bank—On counting out the votes, it appeared that Wm. B. Bullock, Mordecai Myers, A. B. Fannin, and George Sanley, were duly elected.

They then proceeded to the election of two directors on the part of the Farmers' Bank—And on counting out the votes, it appeared that John H. Morell and ——— Fort, were duly elected.

They then proceeded in like manner to the election of five directors on the part of the State, for the Darien Bank—And on counting out the votes, it appeared that Samuel Buskin, Wm. Y. Hansell, James Camak, Wm. Triplett, and Seaborn Jones Esqrs. were duly elected.

They then proceeded in like manner to the election of a brigadier general of the third brigade of the fifth division—And on counting out the votes, it appeared that Col. Allen Lawhon was duly elected.

They proceeded in like manner to the election of a Judge for the Court of Common Pleas, for the city of Augusta—And on counting out the votes, it appeared that Robert R. Reid, Esq. was duly elected.

The president and members of senate returned to their chamber.

When, Mr. Hoxey laid on the table the following resolution :

Resolved, That both branches of the General Assembly will adjourn "sine die" on to-morrow, 11 o'clock.

The honorable senators from Patnaill and Richmond, had leave of absence after to day for the balance of the session.

The senate adjourned until to-morrow morning 9 o'clock.

FRIDAY, December 22d, 1827.

On motion of Mr. Coffee,

The senate reconsidered so much of the journal of yesterday, as relates to the passage of the bill to appropriate monies for the political year 1827.

On motion of Mr. Jones.

Resolved, That Wiley B. Ector and Alexander Hall be, and they are hereby appointed commissioners to rent for one year to the highest bidder, the McIntosh reserves in the county of Butts, under the same regulations and restrictions pointed out by a resolution passed the 23d December, 1825, directing the Inferior court of Monroe county to rent said reserves.

The following message was brought from the house of representatives by Mr. Dawson, the clerk, informing the senate that the house of representatives had passed the following bill which originated in senate, to-wit :

A bill to separate and divorce Joseph Duke and Jane Duke his wife.

A bill to divorce and separate Elizabeth Palmer and her husband Elisha Palmer.

A bill to separate and divorce Riley Finley and Mary Finley his wife.

A bill to authorise Elijah Phillips to erect a bridge or ferry over the Poweliga river in Monroe county on his own land, and to establish the toll rates.

A bill to make permanent the site of the public buildings in the county of Early, and to name the same.

A bill to repeal an act to establish election districts in the county of Dooley, passed 25th November, 1824, and also to make permanent the site of the public buildings in said county, and to name the same.

A bill to authorise certain commissioners therein named, to raise by lottery the sum of three thousand dollars for the use of the De Kalb county academy, and also to authorise the justices of the Inferior court to vest one thousand dollars of the county funds in said lottery.

A bill to appoint trustees for the poor school fund for the county of Lowndes, and vest the funds of the Lowndes county academy in the same.

A bill to incorporate the Monaghan academy in Warren county, and Brockman United Academy in Glynn county, and to appoint trustees for said academies.

A bill to legitimatise and change the name of Maria Elizabeth Breton, to that of Maria Elizabeth Humphrey.

A bill to fix on the time of holding the Inferior court in the county of Lowndes, and to appoint two additional commissioners to assist in fixing on the public site for the same, with an amendment.

A bill to authorise the justices of the Inferior court of Richmond county, &c. to enter upon the lands of individuals or of corporations, and to take therefrom materials for the construction or repairs of roads.

A bill for the relief of John Stewart, Floyd Stewart, and John T. Penn of Oglethorpe county.

A bill to legitimatise and change the names of certain persons therein mentioned.

A bill to amend the judiciary act of 1799, so far as relates to mortgages on real estate.

A bill to sell and dispose of the land lying in the twelfth and thirteenth districts of Ware formerly Appling county.

A bill to lay off, define, and keep open the main channel of Flint and Chattahoochie rivers so as to prevent the obstruction of the free passage of boats and fish, and to appoint commissioners for the same, and also to appoint one commissioner for the Ocmulgee river.

A bill to establish a ferry across Flint river on fraction No. 178 in the 1st district in the county of Dooley, and to vest the right of said ferry in William Lampkin and his heirs.

A bill to add the academy fund to which the county of Baker is entitled to the poor school fund of said county, and fifty dollars seventy cents of the poor school fund to which the county of Early was entitled for the years 1824 and 1825 to the same, and to authorise the taking the census of sundry counties in this State.

A bill to repeal in part the 12th section of an act to dispose of and

attribute the lands lately acquired by the United States for the use of Georgia of the Creek nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of February, 1825.

A bill to separate and divorce Cordy D. Stokes and Theny his wife.

A bill to separate and divorce Bennett Taylor and Cynthia his wife.

A bill to alter and change the name of James James to that of Henry James, Addison Kendrick to that of Addison Hassell, and Bradford Carter to that of Bradford Johnson, with amendments.

A bill to alter the mode of filling the vacancies of sheriffs, clerks of the Superior and Inferior courts, and tax collectors, and to provide for filling the vacancies of receiver of tax returns.

A bill to extend the time for district surveyors to make their returns in the contemplated lottery, and to authorise the Governor to fill vacancies in certain cases therein mentioned.

A bill to authorise John W. Rabun and George W. Gordon to plead and practice law and equity in this State, with amendments.

The house has agreed to a resolution appointing a committee on unfinished business, to join such as may be appointed on the part of the senate.

The house still adheres to their disagreement to the amendments of senate to the bill appropriating monies for the improvement of certain navigable water courses, and request a committee of conference, and have appointed a committee on their part to join such as may be appointed by senate.

The house has concurred in the resolution requesting the Governor to have suit instituted upon the bond of Murdock McLeod, surveyor of the first district of Dooly.

In the resolution to suspend all proceedings on the part of the State against William W. Brown.

In the resolution requesting the Governor to purchase and forward to such counties as are unprovided, a certain number of the Georgia justice and Prince's digest.

In the resolution requesting the Governor to purchase for the use of Rabun county, five copies of the Georgia Justice, to be forwarded with the laws and journals of the present session.

In the resolution requesting the Governor to purchase six copies of the Georgia Justice for the use of Glynn county. &c

In the resolution in favor of Joseph Delk, clerk of the Superior court of Wilkinson county.

In the resolution appointing trustees of Rabun county academy.

In the resolution appointing a commissioner of the Early county academy.

In the report of the committee on banks to whom was referred the exhibit of the Bank of the State of Georgia.

In the report of the committee on banks to whom was referred the annual statement of the bank of Augusta.

In the report of the committee on the penitentiary, on the subject of the late revolt in the penitentiary.

In the resolution requesting the Governor to cause all monies to be collected in the hands of the late solicitors general.

In the report of the select committee on the petition of Elisha Taver.

In the resolution authorising the treasurer to pay to the legal representatives of James Cunningham, a certain sum of money.

In the report of the committee on the state of the republic, relative to the distressed condition of the friendly Indians.

In the report of the joint printing committee for printing the laws and journals of the present session.

In the report of the committee on the state of the republic to which was referred the Governor's communication with the accompanying letter from the secretary of War.

In the resolution appointing commissioners of the Montgomery county academy.

In the report of the joint military committee.

In the report of the joint committee of Finance.

In the resolution relative to the payment of State House Officers.

In the report on the memorial of Jonathan Elliott.

In the resolution to consult the people at the next general election in relation to an alteration in the Constitution, so far as to reduce the numbers of the Legislature,

And they have agreed to the report of the joint committee on public education and free schools—to which they desire concurrence.

The senate took up the message and the amendment to the bill, to alter and change the name of James James to that of Henry James, Addison Kendrick to that of Addison Hassel, and Bradford Carter to Bradford Johnson—was read and concurred in.

The amendments made by the house of representatives to the bill of senate to authorise John W. Rabun and George W. Gordon to plead and practice law in the several courts of law and equity in this State, were read and concurred in.

The senate took up the resolution of the house of representatives, appointing on their part, a committee on unfinished business—and having concurred therein, joined a committee on their part, consisting of Messrs. Williams, Groves and Anderson.

The senate took up the subject matter of disagreement between the two houses, on the bill to appropriate monies for the improvement of the navigation of certain water courses therein mentioned, and agreed to a committee of conference, and joined on their part a committee consisting of Messrs. Brown, of Monroe, Harman, and Clayton of Clark.

The report of the joint committee on public education and free schools, was read and concurred in.

The resolution of the house of representatives of yesterday, in favor of Fleming F. Adrian was read and concurred in.

The resolution for the relief of Isaiah Favour, was read and concurred in.

The resolution relative to an amendment of the Constitution of the United States, was read and unanimously concurred in.

The resolution requesting the Governor to have examined the 10th district of Lawrence county, and to ascertain whether it has been accurately surveyed, was read and concurred in.

The resolution requesting the Governor to have convened a board

for the general officers of this State, &c. was read and ordered to lie on the table the remainder of the session.

The resolution in favor of the administrators of Thomas Dyer, deceased, was read and disagreed to.

The resolution prohibiting persons to visit the Penitentiary, without permission of the principal keeper, was read and ordered to lay on the table the balance of the session.

The resolution requiring the Treasurer and Comptroller General, during the first week of the next session of the legislature, to make each a full statement of the condition of the finances and debts due the State, was read and concurred in.

A communication was received from the Governor, enclosing a statement from certain persons representing themselves as land holders in the 11th district of Irwin now Lowndes county—which was read and referred to the committee on petitions.

Mr. Hendrick from the committee appointed to examine and see the engrossed journals of the senate for the present session correctly engrossed and brought up—Reported,

That they had carefully examined the same up to Saturday the 16th instant, and find they are correctly engrossed with a neatness that is creditable to the clerk of that department.

Which was read and agreed to.

The senate took up the bill to appropriate money for the political year 1827—and by unanimous consent the same was considered as the report of the committee of the whole, open for, and subject to amendment—Whereupon,

The same was amended, by adding thereto the sum of twenty five hundred dollars as the salary of the principal engineer of this State.

Mr. Coffee proposed the following as an amendment to the bill:

“That the sum of seventeen thousand dollars be, and the same is hereby appropriated, for the purpose of building a steam boat, for the purpose of removing the obstructions in the southern rivers, agreeable to a concurred report of the committee on internal improvement: *Provided*, The same be in Darien money.”

Which was read and disagreed to.

The President of Senate being absent.

On motion of Mr. Jones,

Resolved unanimously, That the thanks of Senate be, and they are hereby presented to the Hon. Thomas Stocks, President, for the prompt, faithful, independent, and impartial manner in which he has discharged the duties of the office during the present session.

On motion of Mr. Clayton of Clark,

Resolved unanimously, That the thanks of Senate be, and they are hereby presented to Wm. Y. Hansell, Esq. the Secretary of the

Senate for the prompt, faithful, independent, and impartial manner in which he has discharged the duties of his office, during the present session.

The following message was brought from the house of representatives, by Mr. Dawson, clerk, informing the senate that the house of representatives had agreed to a resolution authorising the Governor to furnish certain officers of the different counties of this state, with a copy each of Schley's Digest—to which they desire concurrence.

That they had passed the following bills of senate, to wit:

A bill to appoint Trustees for the Poor School fund in Appling county, &c.

A bill to repeal the law creating a Board of Public Works, and the law authorising the construction of a central canal or railway.

A bill to alter the time of holding the superior court in the middle circuit—with amendments.

A bill to define the liability of indorsers of promissory notes, and other instruments, and place them upon the same footing with securities.

They have agreed to the report of the committee of conference, on the bill appropriating money for the improvement of the navigation of certain water courses.

They have passed the bill of Senate to establish election districts in Jones county—with amendments.

They have concurred in the resolution appointing commissioners to rent out the McIntosh Reserves.

In the resolution directing the comptroller general to collect the \$3000 loaned to the Unicoia Turnpike Company.

In the resolution appointing a commissioner to rent out the reserves in Houston county—and

In the report of the committee on the report of the commissioners to open a road from Locust Stake to the Currahee mountain.

The house have agreed to some, and disagreed to others, of the amendments made by senate to the appropriation act—and

They have passed the bill of Senate to equalise the salaries of the state-house officers.

On motion of Mr. Blair,

Ordered, That the secretary of Senate deliver over the documents in the cases of Ledbetter and Bonar and Watson, to the senators from Habersham and Greene counties.

On motion,

Resolved, That Messrs. Clayton of Clark, Brockman and Tennille, be a committee on the part of senate, to join such as may be appointed on the part of the house of representatives, to wait upon his Excellency the Governor, and inform him that both branches of the general assembly have gone through their business, and are now ready to adjourn, and desire to be informed whether he has any further communication to make to either branch of the legislature.

The Senate adjourned until 3 o'clock, P. M.

↓ The senate met pursuant to adjournment.

A message was brought from the house of representatives by Mr. Dawson their clerk, informing the senate that the house of representatives had passed the bill of senate to amend the act of incorporation of the town of Milledgeville, with an amendment.

That the house of representatives had appointed on their part, a committee to wait on the Governor and inform him that the General Assembly are ready to adjourn sine die.

And also to inform the Senate that the house of representatives would be ready to adjourn without a day at half after 3 o'clock this day.

The senate took up the message and agreed to the amendment of the house of representatives to the bill to amend the act of incorporation of the town of Milledgeville.

And they joined on their part, as a committee to wait on the Governor, Messrs. Clayton of Clark, Brockman and Tennille.

The senate took up the message of the house of representatives and concurred in the report of the committee of conference, on the bill to appropriate moneys for the improvement of the navigation of certain water courses therein mentioned.

The resolution authorising the Governor to furnish Schley's digest to certain officers of different counties.

Was read and concurred in.

The amendments to the bill to alter the time of holding the Superior courts in the middle circuit, &c.

Were read and agreed to by Senate.

The amendments to the bill to establish election districts in Jones county—was read and agreed to.

The senate took up the subject of the disagreement of the house of representatives, to the amendment of senate to the bill to appropriate moneys for the political year 1827—which were read and adhered to by the senate, except the amendment proposing an appropriation of one hundred dollars to Nathan Grantaam, for revolutionary services—which was read—and on motion that the senate do recede from said amendment, and concur with the house of representatives in striking out the same, it was determined in the affirmative.

The yeas and nays being required, are—yeas 27, nays 15.

Those who voted in the affirmative, are

Messrs. Allen Anderson Baker of Liberty Baker of Warren Beall Blair Brown of Monroe Brockman Burney Choice Groves Harmaa Hendrick James Jones Love Matthews Mitchell Powell of Rabun Ray Scarborough Smith Stokes Strawn Williams Wimberly Wooten.

Those who voted in the negative are,
Messrs. Alston Blackstone Broadnax Clayton of Clark Clayton
of Pulaski Foster Hoxey Joice Powell of McIntosh Porter Ten-
nille Thomas White Wellborn.

The following message was received from the house of represen-
tatives by their clerk, to wit:

Mr. President,

The house of representatives have passed the following bills
which originated in senate.

A bill to amend the penal code of this State, so far as relates to
costs on indictments.

A bill for the division of Upson county into electoral district, and
to establish an additional election district in Rabun county.

A bill to amend an act to sell and dispose of the State's interest
in lots of land which have been or may hereafter be condemned as
fraudulently drawn in the counties of Bibb, Houston, &c.

They have receded and concurred in the amendments made by
senate to the appropriation bill.

They have passed the bill of senate to explain the 4th section of
an act, passed at the present session, to amend the land lottery acts
heretofore passed with a small amendment.

The senate took up the message, and on motion that the senate do
recede and concur in the amendment of the h. of representatives, to
the bill to explain the 4th section of the late land lottery act—which
amendment is in the following words, at the end of said bill "but
to the principal who employed the substitute," it was determined in
the negative.

And the yeas and nays being required, are—yeas 16, nays 21.

Those who voted in the affirmative are,

Messrs. Alston Beall Brockman Choice Clayton of Pulaski
Foster Hendrick Hoxey James Mitchell Porter Spann Stokes Ten-
nille White Wimberly.

Those who voted in the negative, are

Messrs. Anderson Baker of Liberty Blackstone Blair Broadnax
Brown of Monroe Burney Clayton of Clark Coffee Groves Harman
Joice Love Matthews Powell of Rabun Ray Scarborough Strawn
Thomas Wellborn Williams.

Resolved, That the senate do disagree to said amendment, and
that the house of representatives be informed thereof.

Mr. Clayton of Clark, from the committee appointed to wait on
his Excellency the Governor, and inform him that both branches of
the General Assembly would be ready to adjourn this day, reported
that the committee had discharged the duty assigned them, and re-
ceived for answer from his Excellency the Governor that he would
have no further communication to lay before either branch of the
Legislature at their present session.

A message was brought from the house of representatives by Mr.
Dawson, clerk thereof, informing the senate that the house of repre-
sentatives had agreed to a resolution to entitle members of the Le-
gislation to copies of the printed laws and journals of the present
session—and

In a resolution appointing a committee on their part to join a committee on part of Senate to open an additional sealed packet of money in the Treasury, and had appointed on their part, Messrs. Burnside, Dougherty, and Hull of Clark.

The senate took up the message and concurred in the resolutions therein contained; and joined a committee on their part consisting of Messrs. Allen, Hoxey, and Powell of Rabun.

On motion of Mr. Clayton of Clark.

Resolved, That his Excellency the Governor be requested to have published in all the public Gazettes of this State, the resolution passed at this session of the Legislature, on the subject of calling a convention, at such times, and as often as he may think it necessary, to give full and complete publicity to the same.

A message was brought from the house of representatives by Mr. Dawson its clerk, informing the senate that the house of representatives had concurred in the resolution authorising the Governor to have printed in all the Gazettes of this State, the resolution calling a convention, &c.

Mr. Allen from the committee appointed, made the following report.

The joint committee appointed to open a packet of the money that was sealed up in the Treasury REPORT,

That they have opened packet No. 2, containing \$39,570 on the Planners Bank, and \$400 on the United States Bank.

Mr. Groves from the joint committee on enrollment, reported as duly enrolled and signed by the Speaker of the house of representatives, the following acts, to wit :

An act supplemental to and explanatory of an act, passed at the present session of the legislature, entitled an act amendatory of an act passed the 9th day of June, 1825, to dispose of and distribute the lands, &c.

An act to authorise John W. Rabun, George W. Gordon, Marcellus Jones, and David B. McCombs, to plead and practice law in the several courts of law and equity in this state

An act to establish and regulate district elections in the county of Jones.

An act to consolidate the academical and poor school fund set apart for Decatur county, and the same become a poor school fund.

An act to amend the penal code of this state, so far as relates to costs on indictments.

An act to make permanent the site of Jackson in the county of Butts, and to incorporate the same.

An act to appoint trustees of the poor school fund of the Appling county academy and vest the fund of the same, &c. &c.

An act to alter and amend an act entitled an act to amend and consolidate the several acts for the better regulation and government of the town of Milledgeville, passed 19th Dec. 1818.

An act to repeal an act, entitled an act, to create a board of public works and provide for the commencement of a system of internal improvement, passed 21st December, 1825, and also to repeal an act, entitled an act, to lay out a central canal or railway through this State, passed 24th Dec. 1825.

An act to alter the times of holding the Superior courts in the

middle and northern circuit, so far as respects the counties of Montgomery and Tallapoosa.

An act to amend an act of the 23d day of Dec. 1822, for the relief of debtor's families.

An act to change and define the compensation of Secretary of State, Treasurer, Surveyor-General, and Comptroller-General, and to give to each officer a permanent salary.

An act to authorise and direct a further sale of lots in the town of Milledgeville, and to enlarge the commons of the same.

An act to repeal in part the 12th section of an act, entitled an act to convey and distribute the land lately acquired by the United States for the use of Georgia of the Creek Nation of Indians, by a treaty made and concluded at the Indian Springs on the 12th day of Feb. 1825, passed the 9th day of June 1825.

An act to extend the time for district surveyors to make their returns in the contemplated land lottery, and to authorise the governor to grant vacancies in certain cases therein mentioned.

An act to provide for the improvement of the navigation of certain water courses therein expressed.

An act to amend an act, to sell and dispose of the State's interest in lots of land which have been or may hereafter be condemned as fraudulent in the counties of Bibb, Houston, and others.

An act to legitimize and change the name of Maria Elizabeth Foster to that of Maria Elizabeth Humphrey.

An act to make permanent the site of the public buildings in the county of Early, and to name the same.

An act to repeal an act, entitled an act, to lay off the county of Dooly into election districts, passed the 25th day of November, 1824, also to make permanent the site of the public buildings in the county of Dooly, and to name the same.

An act to rent certain reserves and improvements in the late acquired territory.

An act to separate and divorce Susannah Melson and Elijah Melson her husband.

An act assenting to and confirming a purchase made by the United States of a piece of land situate near Augusta, Georgia, and for ceding jurisdiction over the same.

An act to incorporate Butts county academy in the town of Jackson, and to authorise the Inferior court of said county to select a suitable lot for said institution, and convey fee simple titles to the trustees of the same.

An act to lay off and add a part of the county of Dooly to the county of Pulaski.

An act to legalise the solemnization of the marriage contract entered into between Buckner Bass and Ann Dozier, and to legitimize Jane Elizabeth their daughter.

An act to authorise Elijah Phillips to erect a bridge or ferry over the Fowling river in Monroe county, on his own land, and to establish the toll rates.

An act to authorise the justices of the Inferior court of Richmond county, commissioners and overseers of roads and contractors for the construction and repairs of roads in said county, to enter upon the lands and inclosures of individuals, or of corporations, and to

take therefrom materials necessary for the construction or repairs of roads.

An act to amend the judiciary act of seventeen hundred and ninety-nine, so far as relates to mortgages on real estate.

An act to establish a ferry across Flint river, on fraction, No. 178, in the first district of the county of Dooly, and to vest the right of said ferry in William Lamkin and his heirs.

An act to authorise certain commissioners therein named, to raise by lottery the sum of three thousand dollars for the use of De Kalb academy, and also to authorise the Inferior court to vest one thousand dollars of the Inferior court's funds in said lottery.

An act to incorporate the town of Crawfordville in the county of Taliaferro.

An act to define the line between the counties of Newton and DeKalb, and to add a part of the former to the latter.

An act to appoint trustees for the poor school fund in the county of Tattnall, and vest the fund of the Tattnall county academy in the same.

An act to add a part of the county of Lowndes to the county of Thomas.

An act to add the academy funds to which the county of Baker is entitled, to the poor school fund of said county, and fifty dollars seventy cents of the poor school fund to which the county of Early is entitled for the years 1824 and 1825 to the same, and to authorise the taking of the census of sundry counties in this State.

An act to separate and divorce Elizabeth Palmer and her husband Elisha Palmer.

An act to separate and divorce Cordy J. Stokes and Theny Stokes his wife.

An act to incorporate Monaghan Academy in Warren county, and Brockman United Academy, in Greene county, and to appoint trustees for said academy.

An act for the relief of John Stewart, Floyd Stewart, and John T. Penn, of Oglethorpe county.

An act to separate and divorce Dennett Taylor and Cynthia Taylor for his wife.

An act to divorce and separate Joseph Duke and Jane Duke his wife.

An act to fix the time of holding the inferior court in the county of Lowndes, and to appoint two additional commissioners to assist in fixing the public site for the same.

An act to lay off, define and keep open the main channel of Flint and Chattahoochee rivers, so as to prevent the obstruction of the free passage of boats and fish, and to appoint commissioners for the same, and also to appoint one commissioner for the Ocmulgee river.

An act to legitimatise and change the names of certain persons therein named.

An act to separate and divorce Riley Finley & Mary Finley his wife.

An act to compel the next receiver of tax returns for taxable property for Lowndes county, to receive the tax returns of citizens of said county, whose taxes are due to the state prior to the year 1823, and to make it the duty of the next collector to collect said tax.

An act to amend the several acts incorporating the town of St. Mary's.

An act to incorporate the Washington academy in the county of Bibb.

An act to be entitled an act to appoint trustees for the poor school fund for the county of Lowndes, and to vest the funds of the Lowndes county academy in the same.

An act to appoint trustees for the poor school fund of the county of Houston, and to vest the funds of the Houston county academy in the same.

An act to add that part of the funds heretofore set apart for the support of county academies to the poor school fund so far as respects the county of Rabun.

An act to sell and dispose of the land lying in the 12th and 13th districts of Ware formerly Appling county.

An act to incorporate Crawfordville academy and appoint trustees for the same.

An act to repeal an act, passed the 9th December, 1824, for laying off the counties of Emanuel and Tattnall into election districts, so far as respects the county of Tattnall.

An act to vest in Jenny Poindexter and her legal representatives a distributive share of the estate of her deceased father Bartley McCrary.

An act to add part of the county of Washington to the county of Baldwin.

An act to change the name of Levi Satterwhite to that of Leroy Driver, and to legitimize the same.

An act for the relief of Sally, Woodson, Matthew, and Polly Ann Higginbotham, children of Benjamin Higginbotham and Elizabeth Higginbotham.

An act to incorporate the Savannah, Ogeeche, and Altamaha Canal company.

An act to define the liability of indorsers of promissory notes, and other instruments, and place them upon the same footing with securities.

An act to appropriate money for the support of government during the political year 1827—and

Which were presented to and severally signed by the President of the Senate

Ordered, That the committee on enrollment do carry said acts to the Governor for his assent.

A message was brought from the house of representatives, by Mr. Dew on their secretary, informing the senate that the house of representatives are ready to adjourn sine die.

Mr. Groves from the committee appointed to examine the accounts of the members and officers of the senate—Reported a Warrant on the Treasurer for their pay.

Which was presented to and signed by the president of the senate.

On motion of Mr. Powell of McIntosh,

Resolved, That the secretary inform the house of representatives that the senate is now ready to adjourn without a day.

The secretary having performed his duty.—Whereupon,

On motion, the President adjourned the senate 'sine die.'

RULES OF SENATE.

1st. The president having taken the chair and a quorum being present, the journal of the preceding day shall be read.

2d. No member shall speak to another, or otherwise interrupt the business of senate, or read any printed paper while the journal of public papers is reading, or when any member is speaking in debate.

3d. Each member, when he speaks, shall address the chair standing in his place, and when he has finished, shall sit down.

4th. No member shall speak more than twice in any one debate, on the same day, without leave of senate.

5th. When two members rise at the same time, the president shall name the person to speak; but in all cases, the member first rising, shall speak first.

6th. No motion shall be debated until the same be seconded.

7th. When a motion shall be made and seconded it shall be reduced to writing, if required by the president or any member, delivered in at the table and read, before the same shall be debated.

8th. While a question is before senate, no motion shall be received, unless for an amendment, for the previous question, or for postponing the main question, or to commit, or to adjourn.

9th. The previous question being moved and seconded, the question from the chair shall be, shall the main question be now put? and if the nays prevail, the main question shall not then be put.

10th. If a question in debate contains several points, any member may have the same divided.

11th. When the yeas and nays shall be called for by two members, each member called upon shall (unless excused by senate) declare openly, and without debate, his assent or dissent to the question, and upon the call of the house, the members shall be taken by their names in alphabetical order.

12th. Any member intending to ask leave to bring in, or move for a committee to be appointed to report a bill, shall give at least one days notice of such intention, and the title of such bill.

13th. No bill shall be committed or amended until it shall have been twice read, after which, it may be referred to a committee.

14th. When a member shall be called to order, he shall sit down until the president shall have determined whether he is in order or not; and every question of order shall be decided by the president, without debate; but if there be a doubt in his mind, he shall call for the sense of Senate.

15th. If a member be called to order for words spoken, the exceptionable words shall immediately be taken down in writing, that the president may be better enabled to judge of the matter.

16th. When a blank is to be filled, and different sums and different days shall be proposed, the question shall be taken on the highest sum, and most distant day, first.

17th. All petitions shall be numbered as they are received, and taken up and decided on in the same order as they were received.

18th. No member shall absent himself from the service of senate, without leave of senate first obtained.

19th. The motion of adjournment shall be the first in order, without debate.

20th. No member shall leave his seat after adjournment, until the president shall have left the room.

STATEMENT OF DRAWINGS.

Drawn on the Treasurer during the political year eighteen hundred and twenty-six, or between the first Monday in November eighteen hundred and twenty-five, and the first Monday in November eighteen hundred and twenty six.

Date.	No.	In whose favor drawn.	For what purpose drawn, and to what Fund chargeable.	Dolls.	Cts
<i>Drawn chargeable to account of Land Fund.</i>					
1825. Nov. 7	1	Fleming E. Adrian	For his services as commissioner of fraction sales in Hall, Habersham, Gwinnett, Rabun, and Walton,	296	
23	25	Mark Hardin	For his services as commissioner of fraction sales in the years 1821 or 1822, as per account	44	
1826. Feb. 23	208	Commissioners to sell lots in Macon	For their services in advertising and selling 35 half acre lots in the town of Macon, as per account,	120	
June 26	309	messrs. Crawford Blount and Hamilton,	For an advance to the commissioners and artists for ascertaining the line between Georgia and Alabama,	1000	
27	311	do.	For an advance of \$200 to each of them as compensation for their services as line commissioners	500	
July 24	332	Isaac Nolen	For his commission on account of sales made by him of the		

state's half of lots 150 and 221 in the 1st district of Henry,
pursuant to the act of 20th December, 1823

\$4 20

For a further advance to the line commissioners,

200

27 339 Joel Crawford
341 J. Camak and H. Fulton

For an advance to them as mathematicians connected with the
mission to run boundary line

200

August 7 393 William Hackaby

For his commission on the 4th part of the amount of sale made
by him of the state's interest in lands condemned as frau-
dulently drawn in Monroe county,

34 08

31 419 J. V. Bevan,

For his services as secretary to the commission on the part of
Georgia for running the line between it and Alabama,

232

Sept. 2 420 Crawford, Blount and
Hamilton,

For a further advance to them as commissioners on the part of
Georgia for running the boundary line,

1200

Oct. 13 444 Edmund C. Beard,

For his commissions on the amount received by him as sheriff
of Bibb county, on account of sales of land fraudulently
drawn,

35 65

16 446 E. L. Thomas,

For his services as surveyor on the line between Georgia and
Alabama,

1100

17 450 Joel Crawford,
30 480 E. Hamilton,

For the balance due him as line commissioner,
do.

492

488

6,075 93

Drawn chargeable to account of Court and Fund of 1825.

1825. Nov. 7 2 P. Bryan,
9 4 Jacob T. Cheat

For his invoice list as tax collector of Appling co. for the year 1822
For making presidential and secretary's chairs in the senate chamber
per account,

12 90

305 50

10	7	Charles P. Gordon	For his services in the case of the state, vs. Henry D. Stone,	70
11	11	Solomon Betton	For carrying the laws and journals of the extra session to 11 counties, as per contract,	79
14	15	James D. Prevatt	For his insolvent list as tax collector of Wayne county, for the year 1823,	5 19
	16	Thomas Roberts	do. Morgan county, for the year 1821,	194 47
	17	George Horton	do. Hancock county for the year 1823,	20 78
	19	James C. Terrell	For his services as clerk to the convention of Judges as per their recommendation,	50
Nov.	16	22 Colson Guilford	For apprehending and delivering Joseph G. Jenkins to the sheriff of Appling county,	200
	23	Thomas Mitchell	For postage paid by him as surveyor general on letters on public business, &c. in the years '24 and '25.	9 20
	17	24 William W. Williamson	For his services in taking testimony in the case of John Crowell Indian agent, as per account,	40
	24	28 Thomas Wilcox and N. Mitchell	For their services in examining the Alappaha road	120
	25	29 B. A. White	For lead pencils, varnish, &c. &c. furnished the surveyor general, as per account,	14
	26	32 Wyrriot Cason	For his insolvent list as tax collector of Jefferson county for the year 1824,	6 30
Dec.	1	34 John F. Lovett	do. Scriven county, for the year 1823,	7 87
	6	36 John Bigham	For work done in the surveyor general's office as per account,	9 62
	6	37 Thomas B. Stubbs	For ink powder, twine, &c. purchased for the use of the government,	26 50.
	2	43 Editor N. Y. Nat. Adv.	For 1 years subscription to that paper as per account,	10

16	46	Thomas F. Green,	For postage from the 19th October last to date as per account	For 72
20	63	James Darley	For conveying Hilory Reed from Surry county N. Carolina, to Jefferson county in this State,	48 87
23	94	Joshua H. Bigham,	For furnishing fifty-three cords of fire wood for public use as per contract,	106
23	99	Edward Johnson	For binding maps for the surveyor general's office as per account,	23
27	106	Williams Ruffetford,	For furnishing ten chords of lightwood for public use as per contract	50
29	61	Everard Hamilton,	For civil and military commissions &c. issued pursuant to executive orders between the 9th and 22d Nov. ult.	125 50
				1636 45

Drawn chargeable to account of Military Fund of 1825.

1825. Nov. 7	3	E. C. Beall,	For his services as inspector of the 2d brigade of the 7th division in the present year,	36
	10	Thomas Beall	do. 1st. do. 5th do.	46
Dec. 10	44	Everett Woodham	do. 2d. do. 3d. do.	80
17	50	G. W. Tait	do. 1st. do. 4th in the years 1824 and 1825.	84
	17	Francis King	For riding express for brigadier general Harris as per certificate of the general,	14
	21	Philip T. Schley	For his services as inspector of the 2d brigade of the 2d division in the present year,	32
1826. Feb. 6	182	F. M. Stone,	For his pay as military store keeper at Savannah during the first quarter,	60
	20	F. M. Stone,	For repairs done on the arsenal at Savannah &c. as per account	89 79
March 13	916	John Skinner	For riding express for brigadier gen. Taylor as per certified ac't,	30

April	29	229	Seaton Grantland	For six hundred copies of Scott's military tactics furnished agreeable to contract, at \$2 62½ per copy,	1575
May	1	263	F. M. Stone,	For his 2d quarter's pay as military store keeper at Savannah.	60
	3	277	T. D. King,	For his services as inspector of the 2d brigade 5th division in the present year,	80
	11	286	John G. Bostick	For do. do. 2d do. 1st do.	120
	16	287	Andrew Lawson,	For riding express distributing orders for the review and inspection of the 1st brigade 6th division, as per account,	16 60
	18	290	William C. Wayne,	For his services as inspector of the 1st brigade 1st division in the present year,	160
June	7	299	Samuel Robinson	For his services as inspector of the 6th division in the present year as per account,	160
	10	300	James H. Campbell	For do. of the 1st brigade 3d division in the present year,	80
	14	305	Mark Wilcox	For do. do. 2d do. 6th do.	136
July	1	312	Benjamin Baker	For do. 1st do. 7th do.	120
	"	315	Morgan Brown	For his services as president of a court martial convened in Sandersville for the trial of capt. Henry Wood,	12
	6	316	Higgins & Wilcox	For their services as members of a court martial convened for the trial of captain Hayden,	80
	"	317	Samuel Rockwell	For his services as inspector of the 3d division in the present year	76
	"	319	John P. Booth	For do do 3d brig. 6th div. do.	40
	"	320	James Smith	For do do 1st do 5th do do.	50
	13	321	Joseph Felt	For his services as a member of the court martial convened for the trial of captain Hayden,	68
	18	325	Messrs. Myers, McCa-laster & Fisher	For their do do do do	188
	"	326	messrs. Hunter, Lecont & DeLand	For their do do do do	104

4 327	George Greer	For his	do	do	captain wood	16
19 328	J. Bryan & John Dixon	For their	do	do	do	85 98
19 329	L. Geroden R. K. Ten Brock	For their	do	do	captain Hayden	136
20 331	Lovett B. Smith	For his services as inspector of 1st brig. 6th div. in the present year				48
25 235	Isaac D. Lyon	For his services as a member of the court martial convened for the trial of captain Hayden				68
26 336	Thos. Coleman and Thos. Mason	For their	do	do	captain Wood	37 86
26 337	P. T. Schley	For his services as inspector of the 2d brig. 2d div. as pr. ac't.				28
27 340	Joseph W. Jackson	For his services as a member of the court martial convened for the trial of Captain Hayden,				43
1 343	H. McDonnell & Wm. Gaddy,	For	do	do	Capt. Hayden,	80
1 346	Thomas McGann	For his services as inspector of the 2d div. in the years 1825-6,				111 43
4 348	J. M. G. hunter	For his services as a member of the court martial convened for the trial of captain Wood,				22 40
7 382	F. M. Stone	For his third quarter's pay as military store keeper at Savannah				60
8 396	B. Constantine	For his services as a member of the court martial convened for the trial of captain Hayden,				63
9 397	N. A. Adams	For	do	do	do of captain Wood,	18 66
15 411	Simon Manuwig	For	do	do	do of do	12 88
15 412	George Robertson	For	do	do	do of do Hayden,	68
19 413	James H. Campbell	For his services as inspector of the 1st brig. 3d div. as per ac't.				48
28 417	John Lawhon	For his services as a member of the court martial convened for the trial of captain Wood,				15 72
13 423	S. Sessions & A. Whitfield	For their	do	do	do do	44
3 427	Hervey Wheat	For his	do	do	colonel Harris,	12

August

September
October

1896 Jan.	19 53	do Emanuel	Do	do	236 67
	19 53	do Wilkinso	Do	do	236 67
	19 55	do Madison	Do	do	236 67
	20 59	do bibb	Do	do	236 67
	20 62	do Ware	Do	do	236 67
	31 64	do Effingham	Do	do	236 67
	" 67	do Wayne	Do	do	551 67
	" 69	do Laurens	Do	do	236 67
	22 79	do Franklin	Do	do	236 67
	" 82	do Glynn	Do	do	489 17
	23 95	do Walton	Do	do	236 67
	16 132	do Upson	Do	do	236 67
	21 138	do Greene	Do	do	741 35
	28 144	do Chatham	Do	do	517 12
February	21 205	do De Kalb	Do	do	236 67
March	9 213	do Bullock	Do	do	236 67
April	28 228	do Crawford	Do	do	236 67
May	8 281	do Henry	Do	do	236 67
June	13 301	do McIntosh	Do	do	236 87
	14 504	Inferior court Telfair	Do	do	236 67
August	28 416	Trustees Dooley	Do	do	1057 67
					<u>\$11,271 08</u>

Drawn chargeable to account of Appropriation for Printing for 1825.

1825 Nov.	12	F. S. Wall	57 75
"	13	R. J. McIntosh & Co.	35 75
"	26	J. Lee & Son	23 50
December	21	G. & W. Robertson	56 33
			<hr/>
			\$173 38

For advertising the land Lottery Act, of 9th June, 1825, do
 For subscription to the Georgia Gazette, from Feb. 5, 1823, to Aug. 26, 1826 do
 For subscription to the Georgia Gazette, from the Georgian two years, ending with November, 1825, per account, do

Drawn chargeable to account of Poor School Fund.

1825 Nov.	14	I. court of De Kalb.	For their proportion of the funds set apart for the education of poor children by the act of the 22d Dec. 1823, agreeably to the distribution of 20th Dec. 1825,	319 65
	16	do of Houston	do	127 89
	24	Trustees McIntosh	do	112 40
December	3	I. Court Scriven	do	209 75
	9	Trustees Hall	do	683 63
	19	I. Court Jasper	do	914 13
	21	Trustees Laurens	do	549 14
"	"	I. Court Liberty	do	302
"	"	Trustees Clarke	do	404 02
"	"	I. Court Wilkes	do	1237 28
"	"	Trustees Montgomery	do	98 60
"	"	I. Court With	do	398 18
"	"	do Rabun	do	195 06
"	"	Trustees Lincoln	do	263 23
"	"	do Madison	do	274 60

Drawn chargeable to account of Special Appropriation of 1825.

1825, Nov.	26	30	G. H. Brazeal	For his attendance, &c. as a witness before the committee on the State of the Republic at the extra session.	21 80
Dec.	119	56	John Campbell	For taking the census of Appling county	30 62
	22	83	Charles C. Jenkins	For taking the census of Emanuel county,	61 12
			A. McGinty	For taking the census of Decatur county,	22
1826, Jan.	9	127	Com'rs of Macon bridge	For a further part of the appropriation made for erecting a bridge across the Ocmulgee at Macon	800
June	15	306	Samuel C. Douglass	For taking the census of the county battalion of Richmond, county,	89 12
July	17	323	Com'rs of Macon bridge	For a further part of the appropriation made for erecting a bridge across the Ocmulgee at Macon,	2000
	18	324	John Brown	For taking the census of Irwin county,	26 12
Oct.	6	436	Com'rs of Macon bridge	For the balance of the appropriation made for erecting a bridge across the Ocmulgee at Macon,	3,700
					<hr/>
					\$6,750 18

32 22

Drawn Chargeable to account of special appropriation of 1822.

1825, Dec.	20	58	Asbury Hall,	For the amount authorised to be paid by an act of 21st Dec. 1821, the same being the deficiency of dividends in bank stock granted to the University for the last six months.	1000
1826, May	31	296	Asbury Hall	do.	4000
					<hr/>
					\$5,000

Union chargeable to account of special appropriation of 1826

1825, Dec. 22	91 Edward L. Thomas	For the balance due him for examining and re surveying the 1st district Dooly county,	905 25
"	92 Cicero Holt	For the amount appropriated to him by an act of this date,	54 26
"	93 Y P. King	do.	650
23	96 Wm. V. Hansell	For the am't. allowed him by the appropriation act passed 22d inst.	500
23	102 Samuel Buffington	do.	194 75
31	112 Charles J. McDonald	do.	469 81
1826, Jan. 3	117 William Green	For his part of the 1st quarters, as inspector of the Penitentiary	28
4	119 Arthur Gin	do.	38
5	132 Eli S. Shorter	For the amount allowed him in the appropriation act of the last session,	100
10	128 Jesse McNeal	do.	100
"	129 John McKinney	do.	400
"	130 Com'r's Oconee, nay. asso.	do.	3,000
17	134 Wm. Entrekin	do.	400
21	139 Benjamin Wooten	do.	30 82
30	145 Samuel J. Cooledge	For the amount appropriated for him as clerk to the committee on finance,	100
"	146 John W. Hooper	do.	80
Feb 6	173 John C. Easter	For his first quarters salary as Adjutant General,	50
"	174 Peter Fair	For winding up the clock, during the first quarter	31 23
"	175 R. A. Green	For taking care of the Senate and Representative chamber the first quarter	30
"	176 Edward Cary	For part of the first qrs. pay as inspector of the Penitentiary	28
"	177 John Bezman	do.	28

	178	Littleton Atkinson	For	do.		28
	179	Burton Hepburn	For	do.		66
	180	John Bozeman	For	do.	as military store keeper at Milledgeville	33
	181	L. H. Kenan	For	do.	do.	34
	195	John Eastwood	For the amount allowed him in the appropriation act of the last session,			100
	197	William Triplett	For the 1st qrs. pay of the clerk in his office,			125
March	214	Com ^{rs} Locust Stake road	For the amount appropriated for opening a road from Locust Stake to Clarksville in Habersham.			2,000
May	256	John C. Easter	For his 2d quarters salary as Adjutant General			50
	257	Peter Fair	For winding up the clock, &c. during the 2d qr.			31
	258	R. A. Green	For taking care of the senate and representative chambers the 2d quarter,			25
	259	John Bozeman	For his second qrs. pay as inspector of the Penitentiary,			30
	260	Burton Hepburn	For	do		56
	261	Littleton Atkinson	For	do		56
	262	L. H. Kenan	For his 3d qrs. salary as military store keeper at Milledgeville,			57
	276	Wm. Triplett	For the 2d qrs. pay of the clerk in his office,			10
July	318	T. Wilcox, J. r. Lamar and S. C. Danning	For the amount appropriated in the act of 22d Dec. 1825, to remove obstructions in the river Altamaha and Ocmulgee, and to be expended under their direction,			25
	374	John C. Easter	For his third qrs. salary as adjutant general,			5000
August	375	Peter Fair	For winding up the clock, &c. during the third quarter,			50
	376	R. A. Green	For taking care of the senate and representative chambers the third quarter,			31
	377	John Bozeman	For his third quarter's pay as inspector of the Penitentiary,			25
	378	Burton Hepburn	For	do		30
						56
						56

"	379	Littleton Atkinson	For	do	66
"	380	L. H. Kenan	For	do as military store-keeper at Milledgeville,	100
"	381	William Triplett	For the third qrs. pay of the clerk in his office,		125
November	4	513 John O. Easter	For his fourth qrs. salary as adjutant general,		50
"	574	Peter Fair	For winding up the clock, &c. during the fourth quarter,		31
"	575	R. A. Green	For taking care, &c. of the senate and representative chambers during the fourth quarter,		25
"	576	John Bozeman	For his fourth qrs. pay as an inspector of the Penitentiary,		30
"	577	Burton Hepburn	For	do	56
"	578	Littleton Atkinson	For his pay as an inspector of the Penitentiary, from 7th Aug. to 25th September last,		56
"	579	Francis Jeter	For his pay as an inspector of the Penitentiary since the 25th September, to date,		30
"	580	L. H. Kenan	For his 4th qr's pay as military store-keeper at Milledgeville,		16
"	581	Wm. Triplett	For the 4th quarter's pay of the clerk in his office,		25
					83
					100
					125
					<hr/>
					\$16,101 98

Drawn chargeable to account of Appropriation for the Penitentiary for 1825.

1825 Dec.	22	85	P. F. Bosclair	For conveying two convicts from Richmond county to the Penitentiary, as per account,	112	50
	23	97	John S. Thomas	For the amount of the 2d qrs. abstract for furnishing rations to guard and convicts,	841	23
January	7	124	John S. Thomas	For the balance due for furnishing the guard and convicts for the year 1825 as per order of the inspector,	138	
					<hr/>	\$1,091 73

Drawn chargeable to account of Appropriation for the Penitentiary for 1826.

1826 Feb.	6 191	Peter J. Williams	For the pay of the officers and guard of the Penitentiary the 1st qr.	1501 33
January	" 123	P L. Dunlap	For an advance made him as contractor for supplying the Penitentiary the present year,	1000
April	12 223	"	For rations furnished the guard and convicts the first quarter,	688 45
May	1 272	P J. Williams	For the pay of the officers and guard of the Pen'y the 2d qr.	1550 70
July	19 300	Jones and McCombs	For rations furnished guard and convicts from 1st April to 14th instant, inclusive,	836 67
August	7 391	P. J. Williams	For the pay of the officers and guard of the Pen'y the 3d quar.	1555 10
September	6 422	William Mann	For the pay of the guard and subsistence of two convicts sentenced from Apping county,	54
November	4 592	Peter J. Williams	For the pay of the officers and guard of the Pen'y the 4th qr.	1551 10
				<hr/> 28,737 35

Drawn chargeable to Contingent Fund of 1826.

1825 Dec.	22 64	Wm. C. Dawson	For making an index to the journals of the house of representatives from 1810 to 1820,	750
	23 98	Thomas McAdams	For the am't auth to be paid him by resolution of the 9th inst.	35
	24 103	Henry Darnell	For articles purchased for use of the senate chamber as per acct	22 07
	28 107	John Marloe	For gilded frames for the Executive, Senate & Representative chambers, as per account,	125
	" 108	Thomas Madden	For five ornamented prints of Washington's Farewell Address,	30
	31 113	Seaborn Jones	For the balance due for the expenses of the commissioners appointed to take testimony in the case of the Creek Indian Agent, as per account,	- 311 25

1825 Jan.	114 A. M. Hobby	For stationary furnished the Executive & surveyor gen'l's office,	40
	2 115 Wiley & Baxter	For paper and quills for the use of the state, as per account,	75 50
	3 116 Burton Hepburn	For carpeting &c. for the representative chamber, as per account,	40 50
	4 118 B. A. White	For pencils, pounce, and ink, as per account,	14 37
	5 121 Foard & Malone	For articles furnished the executive and surveyor-general's of- fice, as per account,	52 15 314 17
	19 137 Wm T. Williams	For stationary furnished for public use, as per account,	512
	21 140 William Triplett	For certificates issued to civil officers pursuant to the act of 20th December, 1823, as per account,	500
	27 143 C. J. McDonald	For prosecuting to judgment 50 cases in the Flint District, of lands fraudulently drawn,	250
February	3 147 Colville & Woodcock	For apprehending John W. Davis, pursuant to a Proclamation of 8th April 1825,	753 87
	6 183 Daniel Newnan	For civil and military commissions, &c. pursuant to Executive orders, since 24th Nov. last,	241
	6 184 Peter Fair	For the pay of the state house guard during the first quarter,	100
	6 185 "	For his first qrs. pay as messenger to the Ex. Department,	135
	" 193 James Rozeman	For certificates to accompany commissions for civ. offi. as pr. ac't	135
	" 194 Wm Triplett	For do	5
	8 198 "	For postage on letters to him on public business during the first quarter as per account,	24
	10 200 Edward Johnson	For two blank books furnished the treasurer, as per account,	241 05
	16 201 Thomas F. Green	For postage on letters, &c. to the executive, as per account,	512
	22 206 Geo. R. Clayton	For certificates issued to civil officers pursuant to the act of 20th December, 1823, as per account,	45 94 16
	" 207 "	For postage paid on public letters, &c. as per account,	306
March	1 209 Leonard Perkins	For penknives purchased for public use, as per account,	
	43 215 Thomas Johnson	For apprehending Henry Moffett and Wm. J. Barkley, pursuant to a proclamation of 6th February 1826,	

April	20 217 Thomas F. Greene	For postage on letters, &c. from 17 th Feb. to date as per ac't	185 04
	13 224 Way & Gideoa	For three copies of the Journals of congress, under the confederation, in four vols. royal octavo,	60
	15 225 Hardy Culver	For apprehending Joseph Culver pursuant to a proclamation of 4 th March last,	200
	17 226 Wm. T. Williams	For mathematical instruments purchased for the state as per ac't	163 50
	28 227 Thomas F. Green	For postage on letters &c. from 21 st March to date, as per ac't	101 46
May	1 264 Daniel Newman	For commissions &c. issued pursuant to Executive orders during the second quarter,	388 62
	" 265 Peter Fair	For his 2d qrs. pay as messenger to the Executive Department,	100
	" 266 "	For the pay of the state house guard during the 2d quarter,	222 50
	" 273 William Triplett	For certificates issued to civil officers during the 2d quarter,	58 50
	" 274 James Bozeman	do	58 50
	" 275 William Triplett	For his postage account during the second quarter,	20 02
	2 276 Moore & Lyman	For a tomb stone for the grave of James Spalding, pursuant to a resolution of the legislature,	100
	" 279 W. Gaddy	For apprehending Wm. Pulaski, pursuant to a proclamation of 23 ^d September last,	100
	2 280 Edward Johnson	For binding books, &c for the executive, secretary of state, comptroller and surveyor generals, as per account,	75 69
	19 292 S. B. Tarver	For delivering laws, journals, &c to 14 counties as per contract,	104 66
	23 293 C. J. McDonald	For prosecuting to judgment 12 cases of land fraudulently drawn as per vouchers filed,	120
	30 295 Wilson Royal	For an advance to him as contractor to build bridges across Cedar, Swift, Jones, Abrams, and Deep Mill creeks,	300
June	1 297 A. Bie and B. Tesserau	For delivering laws, journals, &c to 34 counties, as per contract	210
	3 298 Joel Rivers	do	58
	14 302 L. Q. C. Lamar and	do	17

62
26

	R. K. Mines	For an adv. made them on ac't of necessary exps incurred in examining and settling the accounts of col. B. Franklin and his successors col. Jones and capt. Balford,	267
307	Elisha Wood	For the purpose of saving the trouble of drawing warrants for small accounts,	107
310	Samuel Tucker	For work done on the tombs of James Spalding and George G. Nowland, esquires, as per account,	90
314	Thomas F. Green	For postage on letters, &c. from 28 h April to date, as per ac't	184
322	James S. Calhoun	For articles furnished the Executive and Surveyor General's office, as per account,	15 83
333	Levi Whitney	For freight on stationary from Augusta for the Ex. Department	9 88
334	Wm. T. Williams	For stationary furnished for public use, as per account,	790 75
342	E. A. Robinson	For apprehending Henry R. Rogers, pursuant to a proclamation of 7th inst. and for extra expenses,	314
344	Thomas Bassinger	For five pounds best English wafers, as per account,	12
345	Edward Johnson	For firing the cannon on the funeral occasion of Thomas Jefferson and John Adams,	30 75
363	Daniel Newnan	For civil and military commissions &c issued pursuant to executive orders, the third quarter,	284 25
384	Peter Fair	For his 3d qrs. pay as messenger to the Executive Department	100
385	"	For the pay of the state house guard during the third quarter,	260
394	William Triplett	For certificates issued to civil officers during the third quarter	44
395	James Bozeman	do	44
400	Edward Johnson	For work done the surveyor-general as per account,	29 75
404	Davis and Stamper	For apprehending John Womack pursuant to a proclamation of the 6th instant,	250
415	Thomas F. Green	For postage on letters, &c. from 3d July to date, as per account	139 31
426	S. G. Pegg	For riding express for lize commissioners,	15
July			
August			
September			

October	5	493	Edward Conner	For bringing the return of the election held the 2d instant, for a member of Congress from Clark co.	2
	6	434	Arthur A. Morgan	do	8
	6	435	Thomas Campbell	do	4
	10	438	William Fowler	do	25 34
	"	439	Joseph Hodges	do	16
	"	440	T. F. Montgomery	do	26 67
	13	443	Auley McAlev	De Kalb, Gwinnett, and Jackson	20
	16	349	F. H. Trammell	Appling	9 20
	17	451	W. H. Adair	Newton	13 38
	18	462	John R. Leach	Madison	32
	20	455	Thos. F. Whittington	Wayne	20
	"	456	James W. Eampkin	Baker	4 75
	25	465	E. H. Pierce	For freight paid by him for the Executive Department,	234
				For the purpose of saving trouble in drawing warrants for small accounts,	158 37
November	4	583	Daniel Newman	For civil and military commissions &c. issued pursuant to Executive orders the fourth quarter,	100
	"	584	Peter Fair	For his 4th qrs pay as messenger to the Executive Department	19
	"	585	"	For his pay as officer of the guard kept in the state house 19 nights, or from the 7th to the 26th August,	223 50
	"	586	Anthony Newsam	For the balance of the pay of the guard kept in the state house during the fourth quarter,	20 50
	"	593	William Triplett	For certificates issued to civil officers during the 4th quarter,	20 50
	"	594	James Bozeman	do	8 06
	"	596	"	For his postage account during the political year 1826,	3 50
	"	597	William Triplett	do the 4th quarter,	312,095 53

Drawn chargeable to account for the redemption of the Tuxedo bonds

617 64

For one audited certificate at 8th of its nominal value,
For audited and treasurer's certificates as per estimate filed at
8th of their nominal value,

3785 50

4403 14

Dec.

26 105 John Clark,
31 110 D. R. King,

Amounts drawn on Tuxedo bonds for printing for 1826.

For printing done for the surveyor and comptroller general as

313

per account, legislature at its late annual session

483 50

do as per account,

42 75

For one years subscription to the Georgia Messenger, and pub-

40 50

lishing land act as per account,

32

For printing blanks for secretary of state, treasurer, and comp-

75

troller general, as per account.

99 88

For publishing land act and subscription to Washington News

34 50

as per account,

32 50

For publishing land act and printing blanks for the secretary of

32 50

state and comptroller general

306 15

For printing done for the treasurer and secretary of State, as

per account,

For printing blanks for the surveyor general and secretary of

state, as per account,

For do. treasurer, secretary of state, surveyor general,

and comptroller, as per account,

For printing for the executive, secretary of State, and surveyor

general, since 33th April 1835, as per account

April 6 231 Grantland & Orme,

May	8 282 C. F. Grandison	For one years subscription to the Darien Gazette as per account	5
	17 288 S. W. Minor,	For advertising list of pedlars and subscription to the Athens Gazette, as per account	10 12
July	1 313 F. S. Fell	For publishing sale of lots in Macon, list of pedlars and subscription to Savannah Republican,	51 32
August	1 347 Camak & Ragland,	For printing done for the state from 4th January, 1825, to August 1, 1826, as per account,	620 47
	4 349 Silas Meacham,	For do for the secretary of State and comptroller general as per account,	51 68
	23 414 C. E. & M. Bartlett,	for advertising land condemned as fraudulently drawn, and printing blanks for secretary of state,	73 50
Sept.	13 424 C. E. & M. Bartlett,	for advertising the act concerning pedlars as per account,	14
Oct.	30 484 C. E. & M. Bartlett,	for do. list of pedlars as per account,	6 50
	22 457 C. F. Grandison,	for do.	6 37
			<hr/>
			83277 71
			83
			89

Drawn chargeable to account of Contingent Fund of 1824.

1826. reb.	6 199 James Eppinger,	for an additional insolvent list as tax collector of Chatham county for the year 1824,	66 07
March 11	210 Josiah B. Holmes,	for his insolvent list as tax collector of Wilkes county for the year 1824,	90 62
Feb. 8	196 John Woolfen,	for do	24 72
	William Schley	Baldwin	
		For half the amount subscribed by the state to his digest of English statutes of force in Georgia,	4000
			<hr/>
			84181 40

Drawn chargeable to account of Appropriation for Internal Improvement.

1826. March 24	218	William Green	For a part of the appropriation made by the act of 21st December, 1825, entitled an act to create a board of public works, and provide for the commencement of a system of internal improvement,	3000	
April	29	230	William Green	For a further part	do
May	19	291	William Green	For	do
	27	124	William Green	For	do
June	26	308	William Green	For	do
August	7	392	William Green	For	do
	9	398	William Green	For	do
Sept.	13	426	William Green	For	do
					800
					1000
					500
					500
					1000
					1000
					200
					38000

90
99
53

Drawn chargeable to special Appropriation of 1823.

1826. Sept.	4	461	Com'rs of Alatomaha	For the amount of an appropriation for the improvement of the navigation of the Alatomaha river, made in the act to appropriate monies for the political year eighteen hundred and twenty-three.	35000
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Dracon chargeable to account of Civil Establishment of 1826.

1825. Dec.	23	104	Thomas Mitchell	For his salary as surveyor general from the 7th to the 24th November last inclusive,	24 67
			For	do.	12 36
	24	104	Everard Hamilton	For his first quarter's salary as Gov. and commander in chief	750
1826. Feb.	6	148	His ex. G. M. Troop,	do. secretary to the executive department,	250
		149	Elisha Wood,	do.	250
		150	M. B. Lamar,	do.	250
		151	E. H. Pierce,	do.	50 17
		152	Daniel Newnan,	For his salary as secretary of state since the 24th Nov. last,	107 19
		153	George R. Clayton,	For his salary as Treas'r from the 7th Nov. to the 2d Dec. inclusive,	267 87
		154	James Bozeman,	do. since the 2d of December last,	375
		155	William Triplett,	For his first quarter's salary as comptroller general.	100 33
		156	Carlton Wellborn,	For his salary as surveyor general since the 24th November last,	150
		157	William C. Dawson,	For his first quarter's salary as clerk of the house of representatives,	150
		158	James Smith,	secretary of senate,	
		159	James M. Wayne,	judge of the superior courts of the eastern district,	525
				middle,	525
		160	William Schley	Ocmulgee,	525
		161	O. H. Kenan,	Northern,	525
		162	John M. Dooly	Western,	525
		163	Wm. H. Underwood	Southern	525
		164	Moses Fort,	Mint,	525
		165	Charles J. McDonald	attorney general,	56 25
		166	Thomas F. Wells,	solicitor general of the eastern district,	56 25
		167	Charles S. Henry	northern,	56 25
		168	John B. Stewart	Ocmulgee	56 25
		169	Gibson Clark	western,	56 25
		170	Green W. Smith,	southern,	56 25
		171	Thomas D. Mitchell.		

56 25

Flint

For his 2d quarter's salary as governor and commander in chief, 750
 For secretary to the executive department, 250
 do do 250
 do do 250
 do do 62 50

secretary of State,

treasurer,

comptroller general,

surveyor general

clerk of the house of representatives, 125

secretary of senate, 150

judge of the sup. courts eastern district, 525

middle district, 525

Ocmulgee dist. 525

northern district 525

western district 525

southern district, 525

Flint district 525

attorney general, 56 25

attorney general of the eastern district

northern dist.

Ocmulgee dist.

western dist.

For his part of the 2d quarter's salary as solicitor general of the

southern district, say from 6th Feb. to 15th March, 25 25

For do say from 16th March to date, 31 03

For do of the Flint District, 56 25

For his 3d quarter's salary as governor and commander in chief, 750

172 Benjamin F. Harris

1 231 His ex. G. M. Troup,

232 Elisha Wood

233 E. H. Pierce

234 George R. Clayton,

235 Daniel Newnan

236 James Bozeman

237 William Triplett

238 Carlton Wellborn

239 William C. Dawson

240 James Smith,

241 James M. Wayne

242 William Schley

243 O. H. Kenan

244 John M. Dooly

245 Wm. H. Underwood

246 Moses Fort

247 Charles J. McDonald

248 Thomas F. Wells.

249 Charles S. Henry

250 John B. Stewart,

251 Gibson Clark

252 Green W. Smith

253 Thomas D. Mitchell

254 Lott Warren

255 Benj. F. Harris

7 250 His Ex. G. M. Troup

Aug.

" 351	Elisha Wood	For	do	Secretary to the Ex. Department,	\$50
" 352	E. H. Pierce	For	do	do	250
" 353	George R. Clayton	For	do	do	250
" 354	Daniel Newnan	For	do	Secretary of the State,	62 50.
" 355	James Bozeman	For	do	Treasurer of the State,	375
" 356	William Triplett	For	do	Comptroller-General,	375
" 357	Carlton Wellborn	For	do	Surveyor-General,	125
" 358	Wm C. Dawson	For	do	Clerk of the house of representatives,	150
" 359	James Smith	For	do	Secretary of Senate,	150
" 360	James M Wayne	For	do	Judge superior courts, Eastern district,	525
" 361	William Schley	For	do	do Middle	525
" 362	O. H. Kenan	For	do	do Ocmulgee	525
" 363	John M Dooly	For	do	do Northern	525
" 364	W. H. Underwood	For	do	do Western	525
Aug. 7	Moses Fort	For his 3d	qrs.	salary as Judge of the Superior courts, Southern district,	525
" 366	C. J. McDonald	For		Attorney General	525
" 367	Thomas F. Wells	For		Solicitor Gen.	56 25
" 368	Chas. S. Henry	For		Eastern district	56 25
" 369	John B. Stewart	For		Northern district	56 25
" 370	Gibson Clark	For		Ocmulgee district	56 25
" 371	Green W. Smith	For		Western district	56 25
" 372	Lott Warren	For		Southern district	56 25
" 373	Bert. F. Harris	For		Flint district	56 25
Nov. 4	His Ex. G. M. Troup	For his 4th	qrs.	salary as Governor and Commander in Chief	750 25
" 551	E. H. Pierce	For	do.	Secretary to the Ex. Department,	250
" 552	Geo. R. Clayton	For	do.	do.	250

553	Daniel Newman	For	Secretary of State	25	50
554	James Bozeman	For	Treasurer	375	
555	Wm. Triplett	For	Comptroller General	375	
556	Carlton Wellborn	For	Surveyor General	125	
557	Wm. C. Dawson	For	Clerk of the H. of R.	150	
558	James Smith	For	Secretary of Senate	150	
559	James M. Wayne	For	Judge of the Superior courts	525	
560	Wm. Schley	For	Eastern dist.	525	
561	O. H. Kenan	For	Middle district	525	
562	John M. Dooly	For	Ocmulgee district	525	
563	U. H. Underwood	For	Northern district	525	
564	Moses Fort	For	Western district	525	
565	C. J. McDonald	For	Southern district	525	
566	Thomas F. Wells	For	Flint district	525	
567	C. S. Henry	Do.	Eastern district	56	25
568	N. C. Sayre	Do. his salary as Solicitor General of the Northern district since 25th August last	Eastern district since	56	25
569	Gibson Clark	Do.	Solicitor General	44	43
570	Green W. Smith	Do.	Ocmulgee district	56	25
571	Lott Warren	Do.	Western district	56	25
572	Benjamin F. Harris	Do.	Southern district	56	25
			Flint district	56	25
				826	963 42

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59
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Drawn chargeable to account of Land Fund of 1826.

1826 Aug.	7	386	Daniel Newnan	For his fees on grants passed during the third quarter,	116	40
	"	387	Carlton Wellborn	do	97	
	"	388	James Bozeman	do	15	52
	"	389	William Triplett	do	15	52
	"	890	Secretaries Ex. Depart.	do	15	52
November	4	587	Daniel Newnan	do	144	60
	"	588	Carlton Wellborn	do	120	50
	"	589	James Bozeman	do	19	28
	"	590	William Triplett	do	19	28
	"	591	Secretaries Ex. Depart.	do	19	28
					<hr/>	
					8582	90

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Drawn chargeable to account of Land Fund of 1825.

1825 Nov.	16	21	Thomas Mitchell	For transcribing 19 district maps, pursuant to a resolution of the Legislature.	380	
December	17	49	"	For his fees on lottery grants, passed between the 7th & 24th Nov. last	490	25
1826 Feb	20	60	Everard Hamilton	do	588	30
	6	186	Daniel Newnan	do	617	40
	"	187	Carlton Wellborn	do	514	50
	"	188	George R. Clayton	do	97	47
	"	189	James Bozeman	do	63	44
	"	190	William Triplett	do	160	91
	"	191	Secretaries Ex. Depart.	do	160	91
May	1	267	Daniel Newnan	do	108	90
				second quarter		

	" 268 Carlton Wellborn	Do	do	do	97 72
	" 269 James Bozeman	Do	do	do	14 57
	" 270 William Triplett	Do	do	do	14 57
	" 271 Secretaries Ex. Depart.	Do	do	do	14 57
	9 285 Carlton Wellborn	Do	do	do	6
August	10 399 Samuel Brooks	Do	do	do	300
	11 402 William Simpson	Do	do	do	300
	11 403 Wm Castleberry	Do	do	do	300
	14 405 Isaac Bailey	Do	do	do	300
	" 406 Wm D. Luckie	Do	do	do	300
	" 407 John T. Forth	Do	do	do	300
	" 408 John McBride	Do	do	do	300
	" 409 Wm D. Conyers	Do	do	do	300
	15 410 Carlton Wellborn	Do	do	do	280
	29 418 A. B. Holt	Do	do	do	300
October	5 432 B. C. Lansdell	For District,	do	do	300
	11 441 Ulysses Lewis	For do	do	do	300
	12 442 Thomas Mitchell	For Sectional	do	do	300
	13 445 Wm. D. Conyers	For completing the survey of the 2d division of the 2d section	do	do	508 81
	16 447 Edward Johnson	For an advance in a contract with the surveyor-general to furnish Record Books,	do	do	100
	16 448 Wm Simpson	For completing the survey of the fourth section,	do	do	299 55
	20 453 John McBride	For do third	do	do	526 58
	" 454 James Woodruff	For his adv. as dist. surv. under the land act of June 9, 1825,	do	do	300
	23 458 Tully Vinson	Do do	do	do	300
	" 459 Norman McRaney	Do do	do	do	300

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1826.

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Lake, in the county of Bibb—bill to incorporate, reported inst. 20, r2t 29, passed 34, passed house of rep. 293, enr. 297.

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- rd Zachariah—resolution appointing him a commissioner of Early county academy, 525, conc in 300 and 1.
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Durrence Joseph—petition of referred 20, bill reported 54, 3c and passed 66, passed house of rep. 293, enrolled 294.

Doolittle Alfred-- petition of read and ref 26, bill reported 49, negatived 151.

Motion to reconsider negatived 154.

Dyer Thomas administrators of --Resolution of the house of representatives in favor of 292, disagreed to 303.

Dudley James---petition of ref 28, bill reported 52, rst 60, 3c passed 66.

Delk Joseph---petition of ref 195, report on 225, conc in 301.

Duke Joseph and Jane---notice for com to report bill to separate divorce 32, com appointed 68.

Bill reported 70, rst 75, 3c and passed 109, passed house of rep. 299, enrolled 306.

Duke Marian and George W-- bill reported instanter to divorce separate 30, rst 44, 3c and passed 57, passed house of rep. 297, enrolled 297.

Edwards James---notice for com to prepare bill to make provision for 30, com appointed 47.

Bill of the house of rep on same subject, 251, rst 261, 3c and passed 186, enrolled 308.

Note---This act was through mistake omitted to be signed by President of senate until after the adjournment of the legislature and consequently has not become a law. --

Dooly county---petition of citizens of to add part of to Pulaski 42, bill reported 57, rst 60, proceedings on 72, 3c and passed 294, enrolled 303.

Notice for com to report bill to repeal the election districts term in, and also to fix on site of public buildings in 43, com appointed 52, bill reported 59, rst 66, 3c and passed 108, passed house of rep 300, enrolled 308.

Decatur county---bill reported concerning the poor school and a demical fund of 158, rst 161, 3c and passed 179, passed house of rep 294, enrolled 307.

Education—public and free schools, com on appointed 17, joined part of the house of rep. 25, reference to 67, reports to Senatus Academicus ref 68, reference to 109-110, report com from house of rep 302, conc in 302.

Enrollment—com on appointed 17, joined on part of h. of rep. 26

Elections---com on and privileges appointed 17

Reso to bring on order 58, conc in with amen'dt 56, amended agreed to 37, approved by the Gov 40.

For the election of a brigadier general 249, conc in 263, approved

Early county—notice for com to report bill to repeal the act laying off election districts in 32, bill reported 32, rst 44, 3c and passed with amended section 47, passed house of rep 281, 284, assented to 288.

Bill reported to make permanent the site of the public building in 65, rst 71, 3c and passed 142, passed h. of rep 300, enrolled 300.

Elbert county---petition of citizens of ref 52, report on amended and agreed to 160

Bill of the house of rep relating to the road laws of 138, rst 138, 3c and passed 189, enrolled 301.

of the house of rep to establish and fix the name of the female academy in, and incorporate the same 259, r2t 266, 3t & passed 277, en 295.

Samuel—bill of the house of rep for the relief of 76, r2t 83, 3t and passed 125, en 141.

—bill of the house of rep to amend the laws relating to 251.

of the house of rep to amend the several laws relating to 270, postponed 276.

ers—bill of the house of rep further defining the duties of 86, r2t 91, negatived 135.

William—petition of ref 94, report on agreed to 190.

Thomas—petition of ref 132.

uel county—bill of the house of rep relating to election districts in 134, r2t 181, 3t and passed 189, en 235.

—bill of the house of rep to admit certain documents as 263, r2t 267, 3t and passed 277, en 296.

—com on appointed 17, part of governor's communication ref to 18, reference to on subject of reducing interest 16, report on 161, committee joined on part of the house of rep 25, reference to with respect to the better security of the money in 53, report on 160, report on the condition of the comptroller general's office 195, agreed to 286, report on the condition of the state of the treasury agreed to 255, conc in 302.

tional surveys—notice for com to report bill for the relief of purchasers of 27, com appointed 33, bill reported 64, r2t 71, 3t and passed 111, passed by the house of rep 270, en 270, ap 270

ices of the State—reso of the house of rep requiring the treasurer and comptroller to make a report to the next legislature relating to 240, conc in 252.

ction No 241, 5th district Monroe county—notice for com to report bill to sell 35, bill reported 42, r2t 49, 3t and passed 55, passed house of rep 281, en 284, assented to 287.

erston Edward—elected brigadier general 40.

key Riley and Mary—bill reported to divorce 42, r2t 42, 3t and passed 92, passed house of rep 300, en 309.

lter Hamilton, chief engineer—reso. laid on the table to remove him from office 265, laid on the table balance of session 285.

nt. Circuit—notice for com to report bill to alter the time of holding of 77, com appointed 95, bill reported 98, r2t 101, 3t and passed 106 (see southern circuit 296.)

ry—notice for com to report bill to establish one in Dooly co. 46, bill reported 98, r2t 102, 3t and passed 107, passed house of rep 300, en 307.

or Isaiah—reso. of the house of rep for the relief of 282, conc in 302.

at river—notice for committee to report bill to keep open at certain seasons 58, com appointed 64, bill reported 93, r2t 96, 3t and passed 165, passed house of rep 300, en 309.

anklin county—bill of the house of rep authorising the inf. court of to levy a tax 86, r2t 90, 3t and passed 96, en 134.

ppin Elizabeth and William—bill rep to divorce 101, r2t 106.

adulent draws—bill reported to sell the state's interest in 110, r2t 115, 3t and passed 151, passed house of rep 306, en 308.

- Floyd Aven and John Rolan*—petition of ref 128, bill reported 149, postponed 232.
- Fannin James W Jr.*—bill reported for relief of 214, postp. 2
- Glynn county*—notice for com to report bill to alter the road 6, com appointed 18, bill reported 34, rst 44, 3t and 56, passed house of rep 281, en 284, assented to 288.
- Reso. to purchase 6 copies of the Georgia Justice for age* 143, conc in 301.
- Grants*—notice for com to report bill to prolong the time for out in the lotteries of 1818, and 1821 6, com appointed 1 reported 21, rst 29.
- Bill of the house of rep to reduce the price of, and extend time of taking out 76, rst 83, 3t and passed 112, en 134.
- Governor*—communication of at the opening of the session 6 referred 18, relating to respite of White and Gallagher relative to certain portraits 24, on the subject of executions pointments and statement of warrants 24, relating to the district of Irwin 26, notifying the resignation of Gen. Blackshear and Cleveland 25, relating to Joseph V. B. referred 45, on subject of the late acquired territory 10 subject of surveyors 152, covering letter of the secretar War 160, transmitting information from the War Department 223 and 4, relative to Indian depredations 245, notifying resignation of Gen. Colquitt 249, enclosing report of co of Tugalo and Oconee rivers 253, on subject of Indian hostilities 273, resolution relative to Indian hostilities 283.
- Gallman John C.*—petition of ref 20, bill reported 52, rst 61, proceedings on 95, rst and passed 132.
- Gallagher Hugh*—communication of the Gov. relating to the ref of 23, ref 24, bill reported to pardon 57, rst 61, proceedings on 67, 13t and passed 68, passed by house of rep 97, en assented to 100.
- Gordon Zachariah H.*—notice for com to report bill authorising to establish a ferry 42, com appointed 98, bill reported 98, 101, 3t and passed 107.
- Gorham Mary and Thomas*—bill of the house of rep to divorce 1 rst 189, 3t and passed 202, en 234.
- Grantham Natham*—petition of ref 94, report 236, agreed to 27
- Georgia Justices*—reso proposed for distribution of 151, agreed 159, conc in 301.
- Gwinnett county*—bill of the house of rep to establish free school 168, rst 189, 3t and passed 201, en 297
- Green Wm Dr.*—elected inspector of the penitentiary 264.
- Hansell Wm Y.*—elected secretary of the senate 4, vote of approbation of senate 303.
- Hudson I. Dy.*—elected speaker of the house of rep 6.
- Holt Thaddeus G.*—elected brigadier general 40
- Higginbotham Elizabeth*—petition of ref 46, bill reported 51, rst 3t and passed 66, passed house of rep 293, en 310
- Houston county*—pet of citizens of the 5th district of ref 69
- Bill reported to appoint trustees of the poor school fund in 70, rst 74, 3t and passed 83, passed house of rep 293, en 2
- County*—petition of citizens of praying the formation of a new county ref 83, bill reported 95, rst 102, postponed 179.

- James—pet of ref 76, report on 82, agreed to 90, conc in by h. of rep 100, approved 222.
- Jarralson Herndon—petition of ref 141, bill for his relief reported 143, rst 189, disagreed to 166.
- Jenny county—bill of the house of rep concerning election districts in 133, rst 181, 3t and passed 189, en 235.
- Petition of the trustees of the academy of 168, report on 187, bill in lieu of, for the encouragement of education in this state 200, rst 215.
- Holt Hines—proceedings relative to 243, recon 248, ref to a com 251, report relating to agreed to 257.
- Hall Henry T and Sarah—bill of the house of rep for the relief of, 259, rst 266, 3t and passed 277, en 290.
- Indorsers—notice for com to report bill to define the liabilities of '6, com appointed 21, bill reported 34, rst 44, proceedings on 56 and 67, 3t and passed 157, passed house of rep. 304, en 310.
- Internal Improvement—com on appointed 17, joined on part of the house of rep 25, report of 226, agreed to 272.
- Indians—bill of the h. of rep to prevent their testimony from being received in courts of justice 267, rst and passed 277, en 296.
- Irwin county—report on the subject of the survey of the 11th dist. of agreed to 80, conc in 144, ap 222.
- Reso. of the house of rep relating to the survey of the 10th dist. 290 1-2, conc in 302.
- Index Book—com appointed to enquire into the expediency of in the Secretary of State's and Surveyor-General's offices 93.
- ingersoll Stephen M—notice for com to report bill to authorise him to erect a bridge over Chattahoochie river 143, com appoint. 152, bill reported 188, rst 200, disagreed to 233.
- Indian expedition—reso of the house of rep authorising the gov. to appoint an officer to command 282, conc in 284.
- Jurors grand and petit—notice for com to prepare bill to provide for the compensation of, 5, com on part of senate appointed 19 joined on part of house of rep 36.
- Judiciary—com on appointed 17, reference to on subject of courts of ordinary, executors, &c. 22, com joined on part of the house of rep 26, report of agreed to 122, ref to 72, ref to 101, report of laid on table, 122, reference to 89, report of laid on the table 122, ref to 98, report agreed to 159, ref to 141, report of agreed to 197, 198, and 199, report of 238, com discharged 244.
- Journal—com on appointed 17, report of agreed to 303.
- Johns Littleberry—petition of ref 26 (see Alfred Doolittle page 41,) and 151.
- James James-- bill reported instantler to alter name of 31, rst 44, rst and passed 56, passed house of rep 301.
- Jarrell James A---bill reported instantler to alter name of 34, rst 44, 3t and passed 56, passed house of rep. 281, en 284, assent. 288.
- Judiciary---notice for com to rept. bill to alter, so far as respects justices court, 37, com appointed 42, bill rept'd 47, rst 55, 3t and passed 62.
- Bill to amend the 3d sec of, passed in 1819, as respects justices of the peace, rept'd instantler 54, rst time 61, laid on table balance of the session, 104.
- James Solomon---notice for com to rep. bill to change the name of

- 40, com appointed 46, bill rep 47, rst 54, St and passed passed house of rep 281, en 284, assented to 288.
- Richard petition in favor of ref 141.
- Harrison-- elected brigadier general 264.
- Jackson--town of in Butts county--bill reported to make permar the site of 59, rst 66, St and passed 72, passed house of rep 294, en 407
- General Andrew -Resolution of the house of rep. recommending him as a candidate for president of the U. S. 238, substitute proposed 252, conc in 259, 260, protest of minority 265.
- Jurisdiction--Bill reported to extend over Indian territory within the chartered limits of Georgia 94, 119, rst 123 and 165.
- Report relative to the exercise of 122.
- Bill reported ceding to the U. S. to a piece of ground near Augusta 160, rst 170, St and passed 189, passed house of rep 281, enrolled 308.
- Jones county--petition of citizens of praying an election district in ref 143, bill rep 152, rst 155, St and passed 165, passed house of rep 304, enrolled 307.
- Jenkins Charles C--Resolution for the relief of 155, conc in 196, approved 222.
- Jefferson county--bill of house of rep to lay off election districts in 259, rst 266, St and passed 277, enrolled 295.
- Keener John--Resolution of the house of rep for the relief of 76, conc in 79.
- Kimbrough John--petition of ref 106, bill for relief of reported 132, rst 138, St and passed 151.
- Kenan Lewis H--a library store keeper--report of read and ref 109 rep. of com on 236, conc in 251.
- Thomas H. elected inspector of the penitentiary, 264.
- Kimberly Anson--proceedings relative to the publication of a certain private letter of to Allen B. Powell, Esq. 167, 168; rep. on 184.
- Extract of the journal of senate, 190.
- Further matter concerning of 191, 2, 3, and 4, 204 to 215 inclusive.
- Lawndes county--notice for com to report bill relating to the taxes of 17, com appointed 28, bill reported 29, rst 34, passed 45, passed house of rep 293, en 209.
- Bill reported to appoint trustees of the poor school fund in 86, rst 91, St and passed 126, passed house of rep 300, en 310.
- Bill reported inst. to lay off militia districts in 42, rst 49, St and passed 55, passed house of rep 281, en 284, assented to 288.
- Bill reported to add part of to Thomas county 80, rst 83, St & passed 91, passed house of rep 284, en 309.
- Bill reported to alter the time of holding the inf. court in 101, rst 106, St and passed 115, passed house of rep 300, en 309.
- Land lottery--notice for com to report bill to amend the acts relating to 27, bill reported 37, rst 44, proceedings on 56, 67.
- Bill of the house of rep. on same subject 76, rst 83, St and passed with amendments 118, recon 120, passed with amend'ts 148, house of rep disagree to said amend'ts 169, proceedings on in senate 182, senate recon 162, recede and conc 183, en 234.

- Notice for com to report bill to alter with respect to illegitimate children 29, com appointed 33, 301.
- Bill of the house of rep to alter the 8th section of the act of 9th June 1825 259, rst 266, 3t and passed 277
- Notice for com to report bill to repeal the 12th sec of the act of June 1825 48. com appointed 54, bill reported 58, rst 66, 3t and passed 103, recon 107, recom 107, 13t and passed 139, passed house of rep 300, en 308.
- Bill reported supplemental to and explanatory of the act of the present session 234, rst 239, 3t and passed 244, passed house of rep 306.
- and acts*—bill of the house of rep to amend and continue in force, as respects vacant and lands surveyed on head rights and bounty warrants 49, rst 60, 3t and passed 75, en 134.
- ynch Lewis*—bill of the house of rep. for the relief of 243, rst 261, 3t and passed 268, en 297.
- ottery*—bill of the house of rep to raise money by to erect monuments to the memories of Greene and Pulaski 37, rst 44, 3t and passed 72, en 134
- Bill of the house of rep to raise money by for the benefit of Eatonton academy passed 70, en 133.
- Bill of the house of rep authorising a lottery for Wrightsboro academy 133, rst 181, 3t and passed 253, en 273.
- awhon Allen*—elected brigadier general 299.
- ue Garland*—bill reported for the relief of 81, rst 83, 3t and passed 91.
- ws*, revised code of—report on the subject of 198, bill to provide for reported 200, rst 215, 3t and passed 233.
- rust Grove*—bill to incorporate the Roman Catholic church at 64, 71, 3t and passed 75, passed house of rep 281, en 284, ass to 288.
- ng Joseph P.*—bill of the house of rep to change the name of 133, rst 181, negatived 190.
- xington*—bill of house of rep to repeal the acts for the regulation of 259, rst 266, 3t and passed 277, en 295.
- iberty county*—reso authorising the governor to send Georgia Justices to the justices of the inferior court of 51, conc in 144, approved 153
- Bill of the house of rep to regulate elections in 85, rst 96, 3t and passed 158, enrolled 235.
- Bill of the house of rep to regulate merchants and shop keepers in 251, rst 261, 3t and passed 268, en 296.
- Bill of the house of rep to regulate battalion musters in 251, rst 261, 3t and passed 221, en 297.
- dbetter Daniel*—petition of ref 54, report on 100, order to deliver papers of 304.
- mbert Catharine Procter*—reso of house of rep in favor of 86, disagreed to 283.
- at*—bill of the house of rep allowing certain persons to plead and practice 63, rst 72, 3t and passed 108, en 141.
- ws and Journals*—reso of the house of rep to furnish members with 306, conc in 256.
- nes and minerals*—notice for com to report bill to repeal the act reserving the same to the state 5, com appointed 19, bill re-

- ported 34, r2t 44 proceedings on 56.
- Military*—com on appointed 17, joined on part of the house of rep 28, reference to 53 and 71, report of conc 302.
- Money*—com appointed to open package of in the treasury 307, report of 317.
- Mortgages*—notice for com to report bill to amend the law relating to on real estates 20, com appointed 22, bill reported 89, r2t 95, St and passed 133, passed house of rep 300, en 309.
- Militia*—reso of the house of rep relating to the better organization of 289 90, postponed 232.
- Montgomery county*—notice for com to report bill to change the time of holding the superior court in St. com appointed 47, bill reported 53, r2t 60, St and passed 66, passed house of rep 304, enrolled 308.
- Academy*—com's of appointed 241, conc in 302.
- Maps*—reso laid on the table for the purchase of four of Sturge's 41, disagreed to 63, re-laid on table for purchase of five of Finley's of the U. S. 218, disagreed to 243.
- McLeod Murdock*—reso relative to the bond of 70, conc in by house of rep 361.
- Moon Anna and James*—bill of the house of rep to divorce 86, r2t 90, St and passed 97, en 134.
- Macom*—bill reported to authorize a further sale of lots in the town of &c. 97 r2t 102, St and passed 150, passed house of rep. 277, en 303.
- Reso concerning the removal of the seat of government to, negatived 250.
- Bill of the house of rep for the benefit of the methodist church in 259, r2t 266, St and passed 277, en 296.
- Milledgeville*—bill reported to amend the act of incorporation of 77, r2t 83, St and passed 91, passed house of rep 305, en 307.
- Bill of the house of rep to raise by lottery \$15,000 to erect masonic hall in 258, r2t 266, St and passed 277, en 295.
- McIntosh General John*—his death announced and proceedings thereupon 31, proceedings of the house of rep thereon 86.
- Milton Witham*—bill of the house of rep for the relief of 263, r2t 207, St and passed 273, en 296.
- Meads Alex Oder*—bill of the house of rep to change the name of 83 r2t 91, St and passed 96, en 135.
- McCall Henry*—petition of ref 99, report on 132.
- Melson Susannah and Elijah*—bill reported to divorce 101, r2t 106, St and passed 115, passed house of rep 293, en 308.
- Military discipline*—reso of the house of rep authorizing the Gov. to purchase & distribute certain books relating to conc in 119.
- Macon town of*—bill of the house of rep to preserve the timber in the vicinity of 259, r2t 266, St and passed 277, en 297.
- Bill of the house of rep to incorporate churches in 259, r2t 266, St and passed 277, en 296.
- Nichol John C*—elected Judge of the court of Oyer and Terminer of the city of Savannah 40.
- Names of person*—bill of the house of rep to change and legitimate 48, 2 60, St and passed 67, en 31, 300.
- Newton county*—petition of citizens of Newton to raise

- money to erect bridges ref 53, bill reported 65, r2t 71, 3t and passed 107.
- Petition of citizens of praying to be added to the county of De Kalb ref 69, bill reported 74, r2t 80, 3t and passed 84, passed house of rep 294, en 309.
- Navigation*—reso of the house of rep relating to Savannah and Tugaloo rivers 76, conc in 79.
- Bill of the house of rep to provide for the improvement of on certain rivers 243, r2t 243, 3t and passed 269, com of confer. appointed on 250, joined on part of senate 252, report of com of confer. agreed to by house of rep 301, conc in 305, en 308.
- Norman Hannah and Sherwood*—bill of the house of rep to divorce 168, r2t 189, 3t and passed 201, en 234.
- Oglethorpe county*—petition of sundry citizens of ref 27.
- Bill to add part of to Madison 31, r2t 44, 2t and passed 50.
- Ordinary courts of*—notice for com to prepare and report a bill to regulate proceedings of 87, com appointed 98, bill reported 128, r2t 138, neg 161.
- Oliver Wm W.*—reso of the house of rep for the relief of 144, conc. in 152.
- Orphans*—bill of the house of rep to amend the acts relating to so far as respects Burke county 163, r2t 189, 3t and passed 234, enrolled 295.
- Bill of the house of rep to amend acts relating to 196, r2t 235, 3t and passed 202, en 284.
- Bill of the house of rep amendatory of the 1st sec. of the act of 1816, relating to 196, r2t 233, 3t and passed 262, en 244.
- Oconee river*—reso of the house of rep requiring the engineer to make exam. of part of 238, conc in 252.
- Public works*—notice for com to rep bill to repeal the act creating the board of 5, com appointed 42, bill rep 54, r1t 61, 3t and passed with amended caption 121, passed house of rep 304, enrolled 307.
- Palmer Elizabeth and Elisha*—notice for com to rep bill to divorce 6, com appointed 19, bill reported 26, r1t 34, 3t and passed 50, passed house of rep 300, en 309.
- Penitentiary*—committee on appointed 17, joined on part of the house of rep 26.
- Reference to concerning escapes, 257.
- Report on 272.
- System, resolution referring it to the people, 22, read again and amended 33, read and substitute offered 48, negatived 132.
- Report of the principal keeper of, ref 22, 200 copies ordered to be printed 82.
- Petitions*—committee on appointed 17, ref to 303.
- Printing*—committee on appointed 17, joined on part of house of rep 26, ref. to 40, rep concerning the public printing 199 200.
- Report on printing laws and journals 215, agreed to 257, concurred in 302.
- Poindexter James*—petition of referred, 31, bill reported 73, r1t 30, 3t and passed 84, passed house of rep. 294, enrolled 210.
- Pullen George*—appointed com of certain river 35, concurred in 144 approved 153.

- Phillips Jonathan*--bill of the house of rep. authorising him to establish a ferry, 59, rst 60, 3t and passed 67, en 81.
- Penal code*--bill reported to repeal the 9th sec of the 9th division of the, 64, rst 71, laid on table balance of the session 102, reconsidered 106, negatived 138.
- Bill reported to amend with regard to costs on indictments, 137, rst 138, 3t and passed 166, passed house of rep 306 en 307.
- Penitentiary*--Report of the inspectors of ref 89.
- Resolution for the election of officers of 160, rec 167, amended and agreed to 185 and 259
- Bill of the house of rep to reduce the salaries of the principal keeper and physician of 229, rst 233, negatived 254.
- Bill of house of rep defining the mode of proving accounts due to, 259, rst 266, 3t and passed 277, en 296.
- Phillips El jah*-- bill reported authorising him to build a bridge 152, rst 155, 3t and passed 165, passed house of rep 300, en 308.
- Penal code*-- bill of the house of rep to amend with regard to voluntary manslaughter 238, juned 262.
- Physicians*-- notice for com to report bill to exempt from military duty 64, com appointed 69.
- Portraits* --Resolution authorising the Governor to have them covered, 80, conc in 144, approved 153.
- Pierce Dr. Lovick* --Resolution of the house of representatives for the relief of 86, conc in 86.
- Public works*-- report of the com. on the report of the board of 87.
- Printer* --bill reported for the appointment &c. of a public printer 93, rst 95, 3t and passed 135, reconsidered 137, recommitted 142, laid on the table balance of the session, 156.
- Parker C. R* --bill of the house of rep to appropriate money for 110, rst 119 3t and passed 135, enrolled 152.
- Poor school fund*--bill reported to amend the acts relating to the, 149, rst 155, 3t 165, passed house of rep 293, enrolled 297
- Bill of the house of rep relating to in Franklin county, rst 266 3t and passed 277, en 295.
- Parcelton academy*--new system of education proposed by 253.
- Penitentiary*--resolution of the house of rep prohibiting persons going into, 292, disagreed to 303.
- Rules* --The government of senate adopted, 5 motion to amend 63.
- Rogers George T* --appointed com of pilotage for Decem. 27 conc in by house of rep 36
- Colbr--petition of ref 166, bill rep on 108, rst 189, post. 252.
- Tabun county* -- petition of citizens of praying a transfer of the academy fund of ref 28 bill rep 63, rst 50, 3t and passed 66, passed house of rep 293, enrolled 310
- Resolution authorising the purchase of Georgia justices for 154, conc in 301.
- John W-- bill rep to admit him to practice law 149, rst 155, 3t and passed 165, passed house of rep 301, en 307
- Reporter of debates*--president authorised to assign a seat to 52.
- Ray John and Mary*--bill rep to divorce 48, rst 55, 3t and passed 61, passed house of rep 291, en 296
- Revolutionary soldiers*--bill for the relief of &c. rep 52, rst 60, proceedings en 84.

Rudolph Zebulon and Eliza—notice for com to rep bill to divorce 63
com appointed 64, bill rep 70, rst 75, negatived 108, reconsid-
ered 111, 2t and passed 238.

Richmond county—bill of the house of rep relating to the compen-
sation of petit jurors of 75, rst 83, 3t and passed 156, en 189.
Bill reported concerning the repairs of the roads in 141, rst 149,
3t and passed 156, passed house of rep 300, en 308.

Reserves and fractions—resolution laid on the table for the appoint-
ment of a person to take possession of 78.

McIntosh—bill of the house of rep to dispose of the 263, rst
267, postponed 285.

Resolution appointing commissioners to rent out 398, 299, con-
curred in 304

Rose William—bill of house of rep to make him the legal heir of
Thomas G Rose 133, rst 131, 3t and passed 190, en 235.

Rees Benjamin T. and Falbot S.—bill of the house of rep for the re-
lief of 144, rst 180, 3t and passed 201, en 234

Reid Robert R.—elected judge of the court of common pleas of the
city of Augusta, 299.

Rivers southern—report of the com'rs of ref'd 122, rep of the com.
on 226, agreed to 272.

Road laws—bill of the house of rep to amend 196, rst 233, 3t and
passed 262, en 284.

Bill of the house of rep to amend so far as relates to the count-
ies of Franklin and others, 251, rst 262, 3t and passed 279,
enrolled 296.

Relief—bill of the house of rep to extend to purchasers of lots of
land in the counties of Bibb, Houston and others, 3t and pass
268, en 296

Reynolds Levi—bill of the house of rep for the relief of 259, rst
266, 3t and passed 278, enrolled 296.

Roads—Report of the commissioners to open road from Locust
Stake to the Currohee mountain, ref 225.

Report on agreed to 286, conc in 304.

Stocks Thomas—elected president of senate 4 vote of thanks 303.

Smith Green W.—elected door-keeper of senate 4.

Sheriffs—notice for com to prepare bill defining the duties of in
certain cases 6 com appointed 21, bill rep 47, rst 55, proceed-
ings on 62, disagreed to 92.

St. Mary's—notice for com to report bill amending the acts incor-
porating of 16, com appointed 31, bill rep 34 rst 43, 3t and
passed 49, passed house of rep 293, en 309.

Petition of citizens of ref 74.

State of the Republic—com on the appointed 17, joined on part of
the house of rep 25, ref to on the subject of Cherokee lands
27, rep on approved 153, ref proposed on subject of jurisdic-
tion, 74, ref with regard to the conduct of the president of the
U. S. proposed 79, amended and agreed to 82, conc. in 251,
com discharged 235.

Report of from the house of rep relating to Indian depredations
241, conc in 252 and 282,

Sampler Sarah—petition of ref 21, bill for relief of rep 34, rst 44,
postponed 232.

- Screven Maj. John**—petition of read and ref 25, rep on 59; proceedings on 94 amended and disagreed to 114, reconsidered 120 report amended and agreed to 257
- Sayre Nathan C**—elected sol gen northern circuit 40
- Strickland's reports**—res laid on the table for the purchase of 41, read and disagreed to 64.
- St. Paul's church**—bill of the house of representatives vesting certain powers in the wardens and vestry men of 269, rst 266, 3d and passed 277, en 297
- Styles Joseph**—memorial of ref 73, bill rep 118, rst 123, laid on table balance session 150, motion to reconsider negatived 154.
- Smith capt. James**—resolution of the house of rep in favor of 110.
- State of the republic**—report of the com on the subject of the Cherokee lands, 112, agreed to 114, conc in 144.
- Report of on the subject of the late treaties with the Creek Indians 171 to 179, 450 copies of ordered to be printed, 179, agreed to 237 and 8, conc in 258, report on the distressed situation of the friendly Indians, 274, conc in 302, report on the subject of boundary, 275.
- Salaries**—notice for com to report bill to equalize of sec of state, treasury, &c. 41, com appointed 48, bill rep 52, rst 61, 3d and passed 224, passed house of rep 300, enrolled 303
- Savannah**—memorial of the justices of the peace of ref 41.
- River**—bill of the house of rep to appropriate money for the improvement of the navigation of 229, rst 233, 3d and passed 253, enrolled 273.
- Bill of the house of representatives with respect to encroachments on 238, ref 261, 3d and passed 268, enrolled 297.
- Sturges Susan**—petition of presented and ref 74, rep 78, agreed 128.
- Secretary of Senate**—authorised to employ additional clerk, 151.
- authorised to employ additional clerks, 225, ordered to carry all matters acted on forthwith to the house of rep 273.
- State house officers**—resolution relating to certain duties of 256 and 7, conc in 302 and 303,
- Solicitors general**—resolution relating to 257, conc 301.
- Slaves**—bill of the house of rep supplementary to the acts prescribing the mode of manumitting of 169, rst 169, 13d and passed 253, enrolled 273.
- Sparta academy**—bill of house of rep authorising a library for the benefit of 239, rst 266, 13d and passed 277, enrolled 295.
- Securities**—bill of the house of rep for the protection of 196, rst 263, 3d and passed 263, enrolled 284.
- Wheley's digest**—resolution of house of rep authorising the Gov. to furnish copies of to certain officers 304, conc in 315.
- Southern circuit**—bill of the house of rep to alter the times of holding the courts in 196, rst 236, 13d and passed 263, reconsidered 256, passed 258, enrolled 296.
- Territory late acquired**—notice for com to prepare bill to rent out improvements in 17, com appointed 30, bill reported 65, rst 71, 3d and passed 167, recon 111, 13d and passed 139, passed house of rep 270, en 298.
- Bill of the house of rep to organise the lately acquired 169, rst 189, 3d and passed 222, en 235

- Treasurer**—report of received and ref 39, [see page 312, &c.]
- Tax collectors**—notice for com to report bill to repeal an act further defining the duties of 87, com appointed 94, bill reported 98, r2t 102, 3t and passed 139, bill of the house of rep on same subject 168, r2t 188, 3t and passed 168, en 235.
- Bill of the house of rep to raise a tax for 1827 143, r2t 189, 3t and passed 217, en 273.
- Thanksgiving**—reso requesting the governor to set apart a day of, & prayer 89, conc in 144, ap 153.
- Thurmond David**—petition of ref 99, report on agreed to 196.
- Tarver Elisha**—petition of ref 225, report on 235, conc in 302.
- Turnpike road**—bill of the house of rep. to raise by lottery a sum to establish one from Athens to Augusta 251, r2t 261, 3t and passed 279, en 296.
- Tugalo river**—report of the com on the report of com's 280.
- Unacoi turnpike company**—reso for the collection of money loaned to 286, conc in 304.
- United States**—proposition laid on the table to amend the constitution of 119—reports relating to proposed amend'ts of the constitution 131—reso of the house of rep relating to amend'ts of the const. of 292, conc in unani'ously 302.
- Vacancies**—notice for com to report a bill prescribing the mode of filling of with county officers 21, com appointed 29, bill rep'd 29, r2t 44, 3t and passed 57, passed house of rep 301.
- Vendue masters**—bill of the house of rep concerning the appointment of in Augusta 134, r2t 181, 3t and passed 253, en 274.
- Upson county**—reso relating to the renting of reserves in 162, agreed to 203, conc in 254.
- Reso. relative to a reserve in 191.
- Unfinished business**—com appointed to see it brought up 243, com ap by house of rep 301, conc in 302.
- Wade James, free man of colour**—reso in favor of from house of rep. 253, conc in 283.
- White Levi**—communication of the Gov. relating to the respite of 23, ref 24, bill to pardon reported 31, r2t 40, passed 45, passed by house of rep. 97, en 95, assented to 100.
- Wood Elisha**—reso of the house of rep in favor of the admr's of 229, conc in 285.
- Widows**—notice for com to report bill relative to the oath of in giving in for draws in the land lottery 39, com appointed 47, bill reported 94, r2t 95, negatived 157, recon 169, passed 180.
- Warren county**—bill of the house of rep. concerning election dists. in 259, r2t 266, 3t and passed 277, en 297.
- Wilkes county**—bill reported instantler to lay off election districts in 41, r2t 49, 3t and passed 55, passed house of rep 238, en 242.
- Wells Thomas F.**—reso of the house of rep relating to 238, conc. in 252.
- Widows**—bill reported to define the dower of 64, r2t 80, proceedings on 124.
- Washington county**—petition of citizens of praying to be added to Baldwin 77, bill reported 97, r2t 101, 3t and passed 106, passed house of rep, 294, enrolled 310.

Screven Maj. John—petition of read and ref 23, rep on 59; proceedings on 94 amended and disagreed to 114, reconsidered 120, report amended and agreed to 237.

Soyre Nathan C—elected sol gen northern circuit 40.

Strickland's reports—res laid on the table for the purchase of 41, read and disagreed to 64.

St. Paul's church—bill of the house of representatives vesting certain powers in the wardens and vestry men of 269, rst 266, 3t and passed 277, en 297.

Styles Joseph—memorial of ref 73, bill rep 118, rst 123, laid on table balance session 150, motion to reconsider negatived 154.

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